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ABSTRACT

This document is a transcript of a public review held by California's Senate to examine the adequacy of existing training requirements and the selection standards for school police. The various speakers for this hearing focused on: (1) existing standards; (2) how school districts currently meet their safety personnel needs; and (3) what changes, if any, need to be made at school sites to ensure everyone' safety. The committee met primarily to determine if the current law governing school-security personnel, regardless of the minimum requirements for school police and school security, are adequate. The two overriding issues were the statewide disparities in training requirements for school police and the lack of professional standards and thorough background checks for school-security officers. The hearing featured an overview of the State Department of Education's analysis of school security, which included an informal survey of the largest 50 school districts regarding their security personnel. Testimony from representatives of Peace Officers Standards and Training, the Department of Consumer Affairs, the National School Safety Center, the Peace Officers Research Association of California, and other organizations was featured. (RJM)

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SENATE SELECT COMMITTEE ON SCHOOL SAFETY

SENATOR TERESA P. HUGHES
CHAIRWOMAN

WHO IS GUARDING OUR CHILDREN?

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AGENDA

FRIDAY, MAY 2, 1997
10 A.M. - 3 P.M.
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Opening Remarks - Senator Teresa Hughes, Chairwoman

1. **Chuck Nichols, Education Program Consultant, Department of Education**

2. **Hal Snow, Assistant Executive Director**
   Peace Officers Standards and Training (POST)

3. **John Nickols, Chief Bureau of Security & Investigative Services**
   Department of Consumer Affairs

4. **Ron Stephens, Executive Director, National School Safety Center**

REACTIONS

Law Enforcement

1. **Wes Mitchell, Chief Los Angeles Unified School District Police**

2. **Steve Craig, President Peace Officers Research Association of California (PORAC)**

3. **Theodore Romas, Chief Irvine Valley College Police**

School Organization Representatives

David Low, California School Employees Association

Dennis Mobley, California School Boards Association, Rialto Unified School Board Member

Ron Bennett, Association of California School Administrators, Deputy Superintendent Fresno Unified School District

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WHO IS GUARDING OUR CHILDREN?

TRAINING REQUIREMENTS FOR SCHOOL POLICE AND SCHOOL SECURITY

MINIMUM BASIC TRAINING REQUIREMENTS FOR SCHOOL POLICE PRESENTLY RANGE FROM 96 HOURS TO 664 HOURS. THERE ARE PRESENTLY NO STATUTORY REQUIREMENTS FOR SCHOOL SECURITY OFFICERS.

THE SENATE SELECT COMMITTEE ON SCHOOL SAFETY IS HOLDING AN INFORMATIONAL HEARING TO REVIEW THE ADEQUACY OF EXISTING TRAINING REQUIREMENTS AND SELECTION STANDARDS.

SPEAKERS WILL FOCUS ON EXISTING STANDARDS; HOW SCHOOL DISTRICTS PRESENTLY MEET THEIR SAFETY PERSONNEL NEEDS; WHAT CHANGES, IF ANY, NEED TO BE MADE TO ASSURE THE SAFETY OF THE CHILDREN, TEACHERS, EMPLOYEES AND GENERAL PUBLIC AT AND AROUND THE SCHOOL SITE.

THERE WILL BE SOME TIME FOR PUBLIC COMMENTS.

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SENATOR TERESA HUGHES: I thank all of you for being here today. This is a very important day for our state because we are looking at the kinds of services that we provide for schools. These are not only services that we provide to the students but to the teachers, to the classified employees, and certainly to the parents and I want you to know that your only three members of us who are on the special committee -- and one is Senator Adam Schiff and he has other commitments in his district today so I don't know whether he'll get here before we're finished or not -- but Senator Cathie Wright is probably stuck on the freeway coming from Simi Valley and you know what the freeway is like on a Friday but she will be here. I guarantee that she will be here eventually.

And I'm happy to tell you that I got my bill, SB 366, off of the Senate Floor on Thursday and the final vote was 35 to 2. The two individuals that didn't vote for it didn't understand it. (Laughter) And I really believe that they did not understand it and maybe this hearing and any other efforts we have will convince them of why it is so absolutely necessary. I thank everyone who has seen fit to take out time from your valuable schedules to be here today, and the issues are outlined in my bill, SB 366, which is co-authored by all of the members of our Select Committee on School Safety.

The first problem is the great variation that exists between the levels of professional standards established for school police officers. The low end of the scale that many school districts ought to meet, the **96 hours of training** required in the statutes -- that's Penal Code 832 and 832.2 for their police officers. The high end are 38 school districts, 23 community college districts, and 15 K-12 districts who voluntarily participate in the POST program which involves completion of a minimum, a minimum, of **664 hours of regular academy** training as well as higher selection requirements, plus continuing professional training throughout one's career. Regardless of the differences in the training here, both are called police officers, so that there are police officers and there are police officers.

The second issue we will discuss relates to the school security officers. There are no professional standards mandated at this time for security personnel; nor are there thorough background investigations required. The lack of requirements and screening and training concerns me because you could have been someone on probation, you know, convicted of some horrible crime and still get a job serving our children. That disturbs me and I hope it disturbs you.

The purpose of this hearing and of my bill, SB 366, is to determine if the current law, regardless of the minimum requirements for school police and school security, are really adequate laws. Let me be clear. We're not here to tell school districts what to do or who are they to hire but I think that school districts should be aware of their options and what the decisions that they make do to jeopardize the security of the student population that you're trying to protect.

This is certainly a totally local decision. Some speakers today will be from districts who have school police who are fully certified POST trained like a unified school district, like LA Unified School District, as an example. Others, like Rialto Unified District, have only security personnel who have no security and other districts, such as Fresno Unified have no security personnel at all. I specifically chose three districts with differing safety personnel so they might explain what went into making their decision. I often say that these people just make their decision, these school board members make their decision, and not thinking about it. They have real concerns, such as where do they get the money from, and can they afford to pay the people that they need, and can they afford to have them trained?

I'm concerned that there's real truth in labeling a question that I believe, that when a parent or a teacher sees an armed officer on a school campus in a full uniform, that they assume that this person is fully trained and capable of doing what they're asked to do or doing what is presumed that they will do. There's just too much of a gap between the figures that I quoted to you initially, 96 hours of training as compared to 664 hours of training. This shouldn't be overlooked. And so as I began to do research into this area, I became more concerned and more excited.

I'm also worried that the school security officers are basically the same security personnel that you see in Sav-On's and Lucky's and the Hilton Hotel.

Should these officers have some training with children before they go onto school campus? What about background checks? I understand that our State Department Justice fingerprinting checks might not expose serious crimes in other states so that they can come to California and sort of hide their past or not even reveal their past. I believe that some of our speakers will address these matters. So let me begin with an overview by the Department of Education on school security and their informal survey of the largest 50 school districts in the state and their security personnel.

Mr. Chuck Nichols representing the State Department of Education, why don't you get us started.

And while Mr. Nichols is getting himself together, I want to add that there is free parking today for us. And if you should get cited, this is the only time that I can fix a ticket. (Laughter) So we have two sergeants here -- Keith and Debbie -- and they would be glad to take care of it. These are our Senate Sergeants and they know some people in high places here. (Laughter)

I hope that all the attendees will do us the honor of signing in, in the front. There's a sign-in list. And anyone who wants to testify at the end of the hearing, you must be on that sign-in list so would you avail yourselves of the opportunity to do so.

All right. Mr. Nichols, we'd like to hear from you. Thank you, sir.

MR. CHUCK NICHOLS: Thank you, Senator. Am I close enough to the mike yet?

I'm a member of the Safe Schools Office of the California Department of Education.

SENATOR HUGHES: Can you hear him? No.

I think what you need to do is have the mike in front of you. It's on the side of you.

MR. NICHOLS: I'm Chuck Nichols, a Member of the Safe Schools Office of the State Department of Education. The Safe Schools Office is very pleased to participate into the investigation into the needs for training requirements for school police and school security.

As our primary role thus far has been the surveying of the 51 -- don't ask me how we got 51 -- but 51 largest school districts in California to determine the

current practices in the training of police and security personnel. Before I get to the results of our survey, however, I would like to set the stage a little bit by presenting you with a brief picture of crime in California schools.

In March of this year, the Department uncovered this report which is the 1995/96 California Safe Rules Assessment. It was the first year of the school crime report and it presents the first full year of data collection in that report. Each of the public schools and county offices of education in California collected and reported data on every individual incident of school crime. Once we got all that data together and tabulated it, we found a number of pretty interesting facts. Statewide there were more than 27,000 property crimes reported during the school year with a total reported loss of almost $23 million. That reported loss is an understatement because losses of under $50 don't get fed into the system. There are also more than 22,000 crimes against persons. The majority of those were batteries but nearly 2,000 of them were assaults with a deadly weapon. Three of them were actually homicides. There were also more than 20,000 reported drug and alcohol offenses. And I guess, as we would expect, most of these crimes were committed by students against other students.

Now there's a substantial social cost to these number of crimes, but on the average this is not a lot of crime for each of the 7,800 and some schools in California. However -- well, what that means, is that most schools are reasonably safe places to be. But I think that we mostly agree that what we want, in terms of crime on school campuses, is zero crime. In particular, in those crimes, where there are high crime rates, the psychological and academic impact on the student body and on the school staff is totally unacceptable. We in the Department have a vision that schools can be havens where students feel safe, they are in fact safe, and they're free to develop their individuality and learn what they need to become happy and productive members of our society.

One of the ways _____ communities are working to achieve this goal is through the practice of placing police, security officers, and our campus supervisors in clear view at schools. This practice can be very effective but it raises the issue, which is the subject of this hearing, what kind of training should these people have, and particularly in the case in which they aren't. In order to find out what is currently happening at school is we in the Safe Schools Office

conducted a phone survey of the 51 largest school districts in California. In your packet, there's a nine-page report which contains a summary of that survey. You can, of course, look through that report at your leisure but I thought I'd skim through it with your permission here.

If you look at the top page, you'll see that it's in alphabetical order and that ABC Unified is the first district on the list with various columns of information.

SENATOR HUGHES: I don't believe that people in the audience have a copy of this so no sense in your thumbing through, so that means you're going to have to really pay attention to it.

MR. NICHOLS: We have about nine columns of information here, the first one close to the name of the school district. In the case of ABC Unified, they use personnel that they call Student Intervention Assistance and they have 23 of them, plus the district. They are unarmed. They receive a very small amount of, three hours or more of training in CPR and what amounts to, I think, basically, on-the-job training and how you do their job.

SENATOR HUGHES: All right. Tell us where the ABC School District is.

MR. NICHOLS: It's down around Norwalk someplace. I'm not sure exactly where it is. That's where the headquarters is.

If you look at the rest of the page, you'll notice that all of these districts use unarmed security guards or campus-supervising-type personnel. But if you look at the second page, you'll start to see the variation that we noticed throughout the survey. Most of the campuses of the school districts on the second page use armed police officers. The training varies. Some of them receive the full 600-some hour basic post-training. And on the other hand, for instance, in Concord Unified, there are 35 armed police officers who receive, whose minimum training level was 96 hours. There are a number of the personnel that have more training than that.

If we continue to flip through the report...

SENATOR HUGHES: Do you have any idea of how the district decides who should receive additional training?

MR. NICHOLS: I believe that...

SENATOR HUGHES: Let's take, for instance, you cited Compton.

MR. NICHOLS: Right.

SENATOR HUGHES: You said that they have 35 armed officers and you say they make a decision that some of them should receive more training than others. Is there a selection process and do you have any idea of how they select out those persons that they think need more training as compared to the others?

MR. NICHOLS: We didn't ask that question but my guess is simply that they have a minimum level of required training.

SENATOR HUGHES: All right. Well, I think that I will answer that question so I will direct someone to give you some answers to that, okay?

Yes, in the audience.

MR. MICHAEL W. NUNEZ: I can answer it for him. Michael Nunez for the Compton Police Department.

SENATOR HUGHES: Great.

MR. NUNEZ: (Inaudible)

SENATOR HUGHES: You have to come up here to get on the mike because -- would you please come up at this time because it's appropriate. See, this hearing is being recorded so that it can be transcribed, and so would you please tell us how the decision was made. Give us your name.

MR. NUNEZ: Michael W. Nunez, N-u-n-e-z, Chief of Police to Compton Unified School District. And the reason that there is a difference in the training is that some of the officers that come onto the department have already received basic training at another site or another police department so they have their basic with them when they come to the department. The minimum training is that as set up in the Penal Code. That's why there's a difference as far as some of the officers are concerned.

SENATOR HUGHES: Then how do you make a decision about which one of those you will have additional training done from?

MR. NUNEZ: Well, the additional training is for everybody. In other words, once you come on a department, there's no decision whether or not to give some officers some training and the other officers no training. It's just that when they come on, some of them already have over 600 hours' worth of training, plus some of the training that they may have received, as far as advanced training, is when they've come onto the department itself. That's when we go ahead and have

training for all the officers and basically the training is geared towards school-related situations.

SENATOR HUGHES: Do you have fingerprinting?

MR. NUNEZ: Yes, we do. Everybody goes through a background check, a complete post-certified background check -- fingerprinting, everything is done as far as the officers coming...

SENATOR HUGHES: Prior to their being hired or after they're hired?

MR. NUNEZ: Prior to them being hired. They go through psychological; they go through everything before they're even put onto the department.

SENATOR HUGHES: All right. That's great. All right. Thank you very much.

MR. NUNEZ: You're welcome.

SENATOR HUGHES: All right. Continue, Mr. Nichols.

MR. NICHOLS: If we keep going through the report, you'll notice on the third page that there are several businesses in Glendale that don't use _____. On page 4, you'll notice a couple of districts _____ securities personnel hundreds of times. Both of them interestingly -- maybe this is required. Both of them have some POST training. Hayward in particular has 106 hours of various kinds of training, including POST training, for their security guards.

SENATOR HUGHES: Is there anyone here from Fresno? I notice that they have no police or security and they have reasons for that. Thank you.

MR. NICHOLS: The last page I'll point out specifically here is page 5 where Long Beach Unified and Los Angeles Unified are. Los Angeles came out, of course, to have by far the largest number of police officers. They have about 300 with regular POST-basic certificates. Long Beach Unified has 12. I think I was told yesterday that it's now up to 13 and there is an error on this report. It says that the security guards at Long Beach are unarmed but in fact they are armed and they have the required minimum of POST training.

If you were to continue going through this report, what you would basically find is that things are different all across the state which is what you're interested in. I made a small chart that shows sort of the range of practices, and there are 19 of the districts that have, that this is not in your packet. There are 19 of the districts that use police officers of some sort. The largest number of officers is, of

course, LA. In other districts the most police officers they have is 65 or 70. We've got a rough number in our district. Most of those districts, the police officers are armed but in three of them they are not. And in most of the districts, they also have the full POST-basic certificates but not all of them.

SENATOR HUGHES: All right. You're talking about most of those on page 7?

MR. NICHOLS: Let me give you _____. If you'll look on page three of this, you will see a small chart that talks about the range of -- that's just my testimony written out basically. But on page 3...

Well, if there's only two pages, does it have a chart on the third page?

SENATOR HUGHES: Yes.

MR. NICHOLS: Well, good. Then that's the only page you need.

At any rate, to recap, 16 of the 19 districts that use police officers out of the 51 we surveyed have armed police officers. Three of them use unarmed police officers, and most of those districts have full POST basic certificates but not all of them. Twenty-six districts use security personnel or campus supervisors. Some of the security personnel have the times and one, only one, in our survey used firearms. And the amount of training that these personnel have varies from on-the-job training up through 106 hours of formal training, including POST training. And then there are ten districts among the 51 surveyed that do not have either as security guards or police, school police. So I think our charts basically summarizes the reason that you've convened us here. There is a very wide range of practice in our 51 largest school districts. We appreciate the chance to have helped you out with your investigation and would be very interested in the rest of your findings.

SENATOR HUGHES: All right. Out of those that have -- we're just doing a brief survey of POST trained are -- the ones that are POST trained mostly in urban areas, suburban, or could you make a generalization?

MR. NICHOLS: No, I haven't looked at it in that fashion so I would think, that given that they are all large school districts, that they'd have to be.

SENATOR HUGHES: All right. Thank you.

MR. NICHOLS: Thank you.

SENATOR HUGHES: I neglected to introduce my staff Consultant, Felice Tanenbaum, who is the person in Sacramento who puts this together and continues to look at these issues. So please at any point in time, if you want to ask questions, feel free to do so. Thank you.

All right. Our next witness will be Hal Snow, the Assistant Executive Director of the Peace Officers Standards and Training. That's a group that I keep referring to as POST.

MR. HAL SNOW: Good morning, Senator.

SENATOR HUGHES: Good morning.

MR. SNOW: We're pleased to be here and we thank you for the opportunity. Hopefully everybody can hear me. I'd also like to at this point thank you for the concern that you have for safety of our children, for caring and introducing Senate Bill 366. We feel honored that you would look upon us to conduct this study. We've had lots of experience with similar kinds of studies over the years and peace officers and to some extent security is our bag, and we look forward to it and we're anxious to get started and hopefully it will be on the Governor's desk soon. It sounds like it's well on the way.

I would like to present some information to you in brief fashion about this state-of-the state, shall we say, and the laws that regulate the professional standards of peace officers, and to some extent, security personnel. And I'll defer detailed explanation of security standards to my counterpart in the Department of Consumer Affairs and I'll be referring to some charts. But I would like to just sort of give you a couple of generalities.

In reviewing the existing stated laws and standards for peace officers and security personnel, you should be aware that these laws and regulations were established over many, many years and can be considered somewhat of a patchwork of laws that had been introduced to deal with particular situations over the years, and consequently there are some fairly obvious holes or deficiencies that can be pointed out. We, of course, will not want to prejudge the results of our study and we will look at it in the most objective fashion we can. Our style and history has been that we will involve all interested parties in the conduct of our study and seek as wide a possible input to obtaining the facts and developing some recommendations for you and the Legislature to consider in

correcting any deficiencies that we might find in a study. So as I progress through some overview of the standards, please feel free to stop and ask me some questions. The audience has a copy of the material that I'm about to present on some charts and feel free to follow along, if you would.

SENATOR HUGHES: All right. While you're doing that, I had neglected to introduce to you my other staff person who's sitting up here with me. This is Pablo Cataño who is Field Deputy, and Pablo goes to many of the school districts in my area. He lives in the City of Hawthorne. He's very familiar with Hawthorne and Paramount and the places in the district.

And Pablo, you feel free to ask a question also.

Thank you.

MR. SNOW: There are several alternatives for school districts to provide safety, security for their campuses and I've outlined at least five of them and we may have missed some. But this is, in our judgment, somewhat the different levels or categories of service, beginning with a school police department that participates in the POST program and those obviously are employees of the district. And I've listed in the far right-hand column their status as to whether they're an employee or whether they're a contract person. Of course, there are differences in terms of supervision and control between employees and contract people.

The second level or category, not necessarily a level but a different, different category providing security is school police departments that do not participate in the POST program and I'll explain in greater detail momentarily the differences between the two, that those two are employees. And by the way, let me just point out, going back to number one, there are in the POST program 22 community college districts that participate in the POST program, including Alan Hancock, _____ Cabrillo, and ones that you see in your handout materials.

By the way, the POST program was created in 1960 as a voluntary program for police and sheriffs' departments, and since then other kinds of law enforcement agencies have been allowed through the Legislature to voluntarily participate in the POST program and that program involves the district board's passing a resolution indicating they wish to join the POST program and they agreed to adhere to all of our selection and training standards; and in return they

have the opportunity to receive all of our benefits, including reimbursement for training certificates and other services that we provide. And so from the community college level, we have 22 agencies or departments. From the K-12, we have 15 school districts.

SENATOR HUGHES: All right. Now let me talk about the decision of school board members to seek POST training.

If I were a new school board member and our district had not received POST training and I voted for POST training in a district by an overwhelming majority decided that we wanted to have enforcement, receive POST training, they do not get reimbursed until after the first group is trained; or when does the district get reimbursement because school board members are always under the constraints of dollars. Explain that a little further.

MR. SNOW: Our program operates in a way that reimburses after the fact, so that once an organization, agency, or department experiences the cost, they send us documentation that the training has been completed. Then we will reimburse them for certain kinds of training costs, not all of the training costs, because the POST program is built upon the premise that training is a shared expense. Training costs are shared, that is, shared by the local organizations as well as the state. And the state has agreed to pay for certain kinds of expenses and that the local agencies, including school districts, pay for part of the expense. In our case, POST reimburses for travel and per diem expenses of the trainees and also for some tuition expenses, and school districts typically pick up costs like the trainee's salary and some miscellaneous fees that we don't usually reimburse for so that's usually how it works after the fact.

SENATOR HUGHES: All right. Now some districts might say, well, we're a nice, suburban area and we don't have many incidents; we don't think we'll need this; or, we're a rural area and we've never heard of any major problems in our schools.

How do you advise them of, you know, what do you say to those school board members? Would you encourage them to go through the expense of POST training?

MR. SNOW: Well, I think we have a philosophy of encouraging all law enforcement agencies that participate in the POST program. We think that that's

part of professionalism and that all should participate. But it's also true that it's very much a local decision. Each board needs to consider its local conditions, crime and other conditions that may suggest the need for a higher level of law enforcement. So I think that's really a local decision and probably should remain so. Anyway, we have a total of 37 K-14 school districts participating in the POST program and we have additions from time to time coming in, joining the POST program and they're always welcome.

Going back to the categories or levels of service quickly, school districts may also establish a school security department. It's provided for in law and many of them do have school security departments. Many districts also contract for police services. For example, in Sacramento the San Juan School District contracts with the local sheriffs department, the Sacrament County Sheriffs Department, for police services. And then some districts...

SENATOR HUGHES: So that means that they don't have school police per se?

MR. SNOW: Yes. They have sheriff's deputies patrolling campuses, yes.

SENATOR HUGHES: All right. Thank you.

MR. SNOW: And then contract for security services, there are school districts that contract with private firms to provide security services. And, of course, those are contract employees. And if a school district doesn't like the officer assigned to their school, they can get rid of them instantly without going through all the processes involved in dismissing an employee.

SENATOR HUGHES: All right. So those firms that they contract with for security services are their employees POST trained?

MR. SNOW: No, they're not.

SENATOR HUGHES: They're not POST trained?

MR. SNOW: No.

SENATOR HUGHES: So they don't carry weapons?

MR. SNOW: They can carry weapons, yes.

SENATOR HUGHES: Without the training?

MR. SNOW: Yes, without our training.

SENATOR HUGHES: Okay. Without the POST training?

MR. SNOW: Let me please briefly review the selection requirements and then I'll get to the training requirements of these different categories of peace officers. These are the selection requirements and the column here. Across the top you will see the different categories of providing security services.

Starting with school police, that is, POST, you might notice that school police, POST, and contract police have the same high level of selection standards. You see Xs that apply all the way down the line and you'll also notice that...

SENATOR HUGHES: How do you define contract police? What do you call contract police? Are those like the sheriffs that you said that you contract with existing law enforcement? Those are the people that fall under the category you contract?

MR. SNOW: Yes.

SENATOR HUGHES: Whom else, other than sheriffs, would be contract police?

MR. SNOW: It could also be a police department.

SENATOR HUGHES: Okay. Regular city --

MR. SNOW: Right.

SENATOR HUGHES: -- police department?

MR. SNOW: Yes.

SENATOR HUGHES: Okay.

MR. SNOW: And I might call to your attention that the top six standards here, selection of standards -- reading and writing exam, oral interview, medical, physical agility, psychological exam, and to a large extent, background and investigation -- are all POST standards. These are not statutory standards. The ones at the bottom are statutory standards that apply to all peace officers, not private security or not security. Those include minimum age of 18 as a minimum standard, U.S. citizenship, or in the process of obtaining U.S. citizenship, GED or high school graduation, no felony conviction, and no narcotics addiction. Those are all the requirements. You'll notice that school police and contract police, every one of these standards apply and there's a great deal of effort put into this. We're constantly refining our selection criteria, oral interviews, medical exams.

We have standards that school districts that participate in our program must adhere to, as to what constitutes a medical exam, the physical agility, the

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psychological exam and the background investigation. And speaking of the background investigation, there's a major issue here that needs to be brought to your attention that is important. In terms of the comprehensive background investigation, we think that's very critical for the professionalization and the performance of peace officers and so we employ great lengths at making sure that peace officers are selected correctly and making sure that good, moral character is sought. And we look for certain kinds of attributes. These are just some examples of the attributes that we're looking for -- integrity, honesty, and responsibility, reliability, suitability, and so forth. Many, many different sources that are required in the background investigation, including the fingerprint check. So the difference between the agency that participates in the POST program, as they get, applicants get subjected to all of this, whereas others who are only required to go through a fingerprint check, just get that. They just get whether they're a felon or not. We're looking for good moral character, much more comprehensive than otherwise.

Going back to my chart here...

SENATOR HUGHES: All right. While you change your chart, let me ask you this question: Is it conceivable that a member of an active employee of LAPD could be contract policemen for, say, Compton School District?

MR. SNOW: It's possible, but contract is, the way I would refer that is, refer to that is, where the district Compton would contract with the City of LA to provide the entire...

SENATOR HUGHES: Oh, you mean, for the entire, if they would do it, like, Sacramento?

MR. SNOW: Right.

SENATOR HUGHES: But as individuals, could they moonlight? Would it be possible for them to moonlight in the school district as school policemen, say, in the area in which they might reside, which might not...

MR. SNOW: There's no barrier to that in law that I know of.

SENATOR HUGHES: But it is conceivable that a district could hire an individual without hiring a whole group?

MR. SNOW: Yes. Yes, ma'am.

SENATOR HUGHES: All right. Thank you.

MR. SNOW: That's usually with the permission of the employing agency.

SENATOR HUGHES: Yes.

MR. SNOW: A couple of other things I'll point out here, school security, as you see in this column here, the only thing that applies is no felony conviction through a fingerprint check and nothing else applies. So none of the selected requirements of why -- the same is somewhat true for contract security. The only selection requirement is there is not a background investigation but rather a fingerprint check. So it's pretty skimpy in terms of the -- also, your school police, non-POST agencies, and there are some of those in California, quite few of those. We don't know exactly how many but our study will hopefully reveal that. We will discover how many school police there are that are not participating in the POST program. Some of these, because they're statutory requirements, they are required to comply with.

But let me tell you something that you should be aware of, is that the agencies that participate in our program, we inspect them every year. We know what the background -- we take a look at the background investigation. We take a look at their training. We know through our computer records whether they're complying with our continuing professional requirements or the other entry-level requirements. So these agencies have our stamp of approval in terms of -- we know we can verify it that they are meeting our standards.

SENATOR HUGHES: All right. Would you, in the summary of your study, outline which are urban, rural, and suburban districts? Summarize that for us. So, you know, I suspect some sort of trend and I'd like to see if that's true.

MR. SNOW: In looking at the agencies that currently participate in our program, it's obvious that most of the agencies that participate are from the urban areas.

SENATOR HUGHES: Right.

MR. SNOW: Generally the more crime-prone agencies or communities and perhaps others that have a sense of wanting to have greater security and confidence among their security and peace officer personnel. But by and large, as a general rule, they are from the urban areas.

SENATOR HUGHES: All right. But I don't want to see a false sense of security from some suburban areas who think that, gee, we have a nice

community and all of a sudden something happens and they find out their nice, secured community is not as secure as they think it is. So if you have that in your summary, I think that will help us to look at it and to alert school districts to be a little more sophisticated.

MR. SNOW: Okay.

SENATOR HUGHES: Thank you.

MR. SNOW: In terms of training requirements, the highest trained are those departments that participate in our program. They're the school police and also the contract police. We have a minimum of currently 664 hours, and I should say that there are very few of our academies that have the minimum. Most exceed a thousand hours and followed by field trained. So this is somewhat misleading and the hours are actually much, much longer than what you see here.

This course is constantly updated. We are updating it on a daily, weekly basis so it is most up to date. I also should say that all of the training requirements that you see below here, below here, are included in that basic course. So, for example, the _____ training is in there, firearms training is in there, risk training is in there. All kinds of training is included in that basic course.

I should probably be speaking into the microphone.

The next training requirement that I'll call your attention to is the PC 832 course. It is a course that ranges from 40 hours to 64 hours, depending on whether firearms portion of the course, which is 24 hours, is completed. That course applies to school police not participating in the POST program. That's right here. School police by law in Penal Code section _____ must complete the 832 course as well as the 832.2...

SENATOR HUGHES: Hold up for one minute. I'd like to at this time introduce the famous Senator from Simi Valley who is an expert on the freeways and I'm happy that she's here. She said to me the things she does for me, the things that she does for the citizens of the state, I'm very proud of, Senator Cathie Wright.

Any remarks you want to make?

SENATOR CATHIE WRIGHT: No. I don't want to hold you up any more than I have to.

SENATOR HUGHES: All right. Thank you.

MS. FELICE TANENBAUM: Maybe I can just say something.

SENATOR HUGHES: Yes.

MS. TANENBAUM: Just by way of introduction, we're talking now with Hal Snow from POST so that's where we are on our agenda. And what he's doing at this point is very important. He's talking about the differences in training between the POST certification of 664 hours up to a 1,000 or more to other police officers that have only 96 hours of training so he's outlining that for us. But he also indicated the 664 hours are usually exceeded.

SENATOR WRIGHT: So it's a continuous process?

SENATOR HUGHES: Right, right. You're going to have to hold you mikes because these mikes don't have stands, so you when you want to say something...

SENATOR WRIGHT: Well, then if I have a tired arm, you won't get too much out of me. (Laughter)

SENATOR HUGHES: I doubt that seriously.

MR. SNOW: Four or five years ago, the Legislature passed another training requirement. I think the Legislature foresaw a training need at that time and that was Code section 832.2 which is a school peace officer training course. We were given the responsibility to determine the content and hours for that course; and subsequently after some research, set that at 32 hours. It's a course that applies to school peace officers. But peace officers who have a POST-basic certificate, which ours do, are exempt from that training requirement. And so when you look at school police not participating in a POST program and if you combine 832 and 832.2 courses, you end up with 96 hours of training. So that's the maximum training that is required. It is true that agencies or police departments that don't participate in our program can exceed that. This is the minimum statewide. They can easily exceed that if they choose to do so.

When school security and contract security have -- well, too much on that because that's not our area of expertise. But in the case of security, if they carry firearms, at least in the school security officers, if they carry firearms or batons,

then they're required to complete some very short courses that are determined by the Department of Consumer Affairs and I'm sure that John will explain that in more detail. And if they do that, they also have the facility for arrest course, a brief four-hour arrest course. The same is true for contract security. And so the training requirements for security are quite nominal; and as you saw in the study earlier from the Department of Education, very few of them are armed. Very few private or security personnel are armed or even carry batons. And hence thee training requirements do not even come into play, for the most part and so if we have an area here where there's some potential need for some corrected legislation to deal with that.

I might also point out, that in terms of continuing education, we take great pride in our continuing education training requirement of 24 hours every 2 years, and that's a minimum. We actually reimburse 40 hours every year, which is considerably more. It is required of all officers and contract officers. And then for those who achieve higher ranks of supervisory management, executive, we have other training requirements that apply to them as well. So that kind of gives you an idea of the training requirements for both police and security, and there are a number of gaps and holes that perhaps need some attention by the Legislature and we will document those gaps in our study under 366.

I'd like to just conclude by saying, that looking at security and police locally for schools, I think I'll sum it up by saying that there are really three levels of security or police or law enforcement. You have the school police participating in the POST program, you have the contracts police, and then in the middle, next lower down, there's a school police that do not participate in the POST program who have 96 hours of training, and then you have your security officers who are either employed by the school district or who are contract security. That kind of gives you an idea of the hierarchy in terms of their qualifications for serving on school campuses.

That concludes my remarks. I'd be happy to answer any questions.

SENATOR WRIGHT: Just one. It doesn't necessarily pertain to this. But whenever anyone comes before me in committee with a piece of legislation and they want to become a peace officers, I always ask if it's POST certified. Now you're telling me that there's some training that you do but it's like limited. Is

that really called "certified"? So if I'm asking for certified, I'm thinking of full training. Am I correct in that?

MR. SNOW: Certified is a loose term that is used both to characterize training and to characterize officers. If somebody is referring to an officer or a person as certified, that means their participating, their agency is participating, in our program and they have at least a post-basic certificate and they have a full basic course. Oftentimes, though, people, in using that term "certified" will be referring to a course. And in the case of the 832.2 or the 832 course, those are courses that are certified by POST but they're very brief courses. They're short courses and we certify...

SENATOR WRIGHT: What question do I ask?

MR. SNOW: Well, I think perhaps you need to query them as to whether they're referring to an officer or to the course because, if they're referring -- we do both. We certify courses and we certify individuals.

SENATOR WRIGHT: I'm basically concerned about ever anyone being called an officer or peace officer. That's why I've always asked the question if they're certified. So now I'm going to have to go into a little more detail. I'll remember that. All right. A certified person by POST, a certified officer, has at least 664 hours.

MR. SNOW: Yes, ma'am.

SENATOR WRIGHT: Right. All right. If they took a certificate, if they have a certificate, they could have as little as 96 hours.

MR. SNOW: If they had a certificate of completion --

SENATOR WRIGHT: Of completion, okay.

MR. SNOW: -- which is a little certificate, we give big certificates. (Laughter)

SENATOR HUGHES: So you've got to ask what the size the certificate is? Is that what it is? The little certificate has how many hours on it as compared to the big certificate?

MR. SNOW: Right. And by the way, our big certificate, which is really called the basic certificate, is required in law for certain peace officers. They must have it. It's tantamount to a license.

SENATOR HUGHES: The big certificate is how many hours?

MR. SNOW: Well, it represents not only completion of the basic course. It represents having served at least one year of satisfactory service on the department and an attestment by the agency administrator that that person is competent. So it's a professional certificate as opposed to a certificate of completion that we don't issue. Usually colleges and agencies will issue little certificates of completion of having completed the little courses, short courses.

SENATOR HUGHES: Okay. So it has to be a big certificate to have the big power and stuff that...

SENATOR WRIGHT: Is it framed? (Laughter)

MR. SNOW: We don't frame it. That's a local expense.

SENATOR HUGHES: "Frame" is not a good word (laughter)...

MS. TANENBAUM: I just want to add to the confusion, and you'll hear it, I think even the Compton chief said "the basic course".

So when we think basic, we think on the lower level. We think the 96 hours. But when they're talking the basic course, they're talking the big one, the 664 hours. So somebody has spent a lot of time trying to confuse everybody.

MR. SNOW: We have developed this confusion over 30 years.

SENATOR HUGHES: All right. Thank you very much.

Any further questions?

If not, we'll go onto John Nickols who is the Chief of the Bureau of Security and Investigative Services for the Department of Consumer Affairs, and his department licenses about 160,000 security frauds. Okay.

MR. JOHN NICKOLS: Good morning, Senator, Ladies and Gentlemen. I'd like to thank you, Senator Hughes, Senator Wright, for inviting me here this morning on this very important issue. Again my name is John Nickols. I'm the Chief of the Bureau of Security and Investigative Services and I work out of the Department of Consumer Affairs and I'm probably going to borrow Hal's charts in a bit.

I represent the regulating agency for the State of California for the security people. We have approximately 162,682 security officers or security guards in California. Those are men and women that we license and that provides security, just as you said this morning, Senator, at the Sav-On's, at the hotels, at restaurants, and schools throughout our community. The men and women that

we have, approximately 23,291 of them, carry what we call unconcealed weapons. They carry firearms not concealed but they carry them on the outside of their clothing in uniform. There are approximately 48,211 more officers that carry batons. Those are the night sticks and the baton, side-handled and straight-handled batons.

The basic mission of a police officer has been defined as to serve and protect and to take care of us. The security industry, we observe and we report. A security officer sees something, they make take nominal action; they'll write a report. And in the case of an offense or crime in their presence, what they do is they call law enforcement and the law enforcement community responds and takes appropriate action and takes a person, takes them away.

Mr. Snow from POST was good enough to bring his charts in here and I'll try and use a little bit of it because it's pretty definitive. Again, we don't look at the security or the police industry as necessarily good, better, or best. We look at it from the position of economics.

SENATOR HUGHES: Maybe you can answer this question while they put in your chart. What if May Co. wants a security officer? Do they have to check with Consumer Affairs about the type of training they're going to have for security officers? What about state buildings, security officers in state buildings, as opposed to security officers in private companies?

MR. NICKOLS: I'll answer that. It is confusing. The easiest way to do it is to explain that a private security officer that works for a private company is regulated by us exclusively and that's like any of the companies that you see out in the street with patches -- Burns, Guard Smart, all the rest of them. We regulate them.

Now if the State of California hires their own security officers, here's where it gets problematic. If they are employees, like we have the school security officers, employees of the state agency, employees of the school, employees of General Motors, those security officers are proprietary and are not regulated by our bureau until he's put on a firearm or until they start using a baton. Then we regulate them and require the state agency or the school district or we'll pick on General Motors. Those men and women that work for them that wear a firearm

have to have a guard card and they have to have a firearm permit and those are the two things that we regulate.

SENATOR HUGHES: So they must come to Consumer Affairs for permission to carry a firearm or...

MR. NICKOLS: That is correct. They would apply to us and we do a background investigation through the Department of Justice and ascertain that there's no problems in their background and there's no domestic violence; there's no crimes.

MS. TANENBAUM: Can I ask a question here.

John, excuse me. On that background check, I think you and I talked about the extent of the background check. This person is now asking to have a firearm. If they committed a -- they're convicted of sexual molestation in Ohio five years ago, would you find out about it through your State Department of Justice through a background check?

MR. NICKOLS: The best thing, there's several answers to that question. If they just come and apply for a security officer's position, they only go through the Department of Justice. As Ms. Tanenbaum said, if they wish to carry a weapon, an exposed weapon, then they go through a DOJ, Department of Justice, background investigation and they go through the Federal Bureau of Investigation. The FBI would probably catch this sexual offense unless they had registered in California as a sex offender, then the Department of Justice would get it.

MS. TANENBAUM: So if they were nice enough to register, we would know for sure.

MR. NICKOLS: Right. But it's important that you understand, Senator, that the DOJ is just a department, just the State of California, and that is all that a primary guard background is. It's just California.

SENATOR HUGHES: All right. Unlike teachers, when a teacher gets a license, they run this check and so they would find out if they had committed a crime in any other state?

MR. NICKOLS: That's correct.

27

SENATOR HUGHES: But it is not true of anyone who is a security officer who might be carrying a weapon in any of these places that you articulated, that Consumer Affairs approves?

MR. NICKOLS: I'm not too sure I understand the question. If they carry a weapon, Senator, they do get a complete check. They go through the Department of Justice and the FBI. But there's no legislation now for just a straight guard. All they get is just a California check. The legislation does not allow us to go to the FBI for their guards -- only if they carry a weapon.

MR. NICKOLS: Moving along, again, the issue of good, better, best, we're looking at, really, it's just an economic marketplace issue. The contract security officers obviously are down at the bottom on the right-hand side. Those men and women can be -- you obtain them by contract, so you may be paying anywhere, $20 an hour to $6 an hour. If you have your own school security department, you're talking about proprietary employees. These are men and women that actually work in the district. They have substantial benefits, health benefits, retirement, uniform allowances, a whole host of things that starts driving up the costs of the employee and of that particular protection package. And as you wind your way up to the top, you can see. As you get more sophisticated, more training, more benefits, the expenses go straight up and the contract security officers obviously, they compete at a very nominal level because they don't have the training or the sophistication the peace officers have.

Now the contract security officers in your security departments, that's just a matter of what the district requires and it's also, for that matter, it's a matter of what the marketplace requires. If you want to hire a very sophisticated group of men and women from the contract security provider, you can certainly do that but you can't get it for $5.50 an hour. You're going to have to raise the ante??. The marketplace would provide, the security provider would provide, the sophistication to different people. Their education standards would be substantially different than what you have right now. Again it's a marketplace issue. It's dollars and cents.

MS. TANENBAUM: Are there any background checks or training requirements needed for school security guards compared to bank or store or hotel guards or should there be?

MR. NICKOLS: Well, I think there should be because you're asking more of the individual and you're asking for a more sophisticated employee. Let me move one of Hal's charts. (Pause)

My statements -- I want to restrict myself to the security officers and the contract security people. As you can see from the chart here, the school security officers and the contract security officers have training which is through and regulated by the Bureau of Security and Investigative Services. We have a training unit that does this. They teach them the proper use of batons or chemical sprays and firearms if they carry the exposed weapon. They do have the powers-of-arrest or power-to-arrest course. It's about four hours. It's not a real extensive class obviously in four hours. It's more of an orientation, Senator, than anything else. As far as background...

SENATOR HUGHES: You know, let's make is something really simple. Say that the XYZ School District didn't have a lot of money and they wanted to hire a security officer. How do they compare with the local B of A branch in a little suburban town in terms of their amount of training?

MR. NICKOLS: Probably the same. As you can see here, the requirements for peace officers is substantial.

SENATOR HUGHES: Security officers.

MR. NICKOLS: For the security officers. It's no felony conviction. They do have to be 18 years of age to be a security person. But again, it's a marketplace issue. If the Bank of America and the school district have different needs, they would have to go to the security provider and contractor and say this is what we want. We want a person that's at least 30 years old, high school education, a certain level of sophistication, and the security or contract provider would give that to them. The issue is whether or not the school district or the Bank of America wants to pay the market rate for that kind of person.

SENATOR HUGHES: But chances are that the Bank of America feel that they have more to lose so that they would have a greater investigation of the person, I would imagine, than with this poor XYZ school district who's never had an incident and feel that, well, we don't have to worry. This is a nice, quiet community and we never have incidences so we can get someone at a cheaper cost. Is that it?

MR. NICKOLS: There is less expense with a contract provider but the contract security guard industry in California is not unaware of this market and there are good companies, premiere companies, if you would, in California, that can provide school security officers with a substantial background and they do go out and do a number of the things that you see here. And with a background investigation, psychological background, a GED, these are all marketplace issues and they can provide those, if that's what the district wants. It's just a matter -- again, it's a matter of economics and that's what runs our end of the security spectrum, is th · economics, whereas in the law enforcement community, we look at POST for guidance and direction.

SENATOR HUGHES: And it's also a matter of what you consider your most prized possession. Your money that you have in the Bank of America is a suburban branch or your child that you have in the school in the suburban area.

MR. NICKOLS: There's no question as to what is more valuable.

SENATOR HUGHES: That's kind of scary to me that it's so subjective because some people don't care enough about their children to watch them carefully and consequently they're often kidnapped in shopping centers and what have you because they're not watching their kids. And then when something happens, they get all excited and upset. I hope that this hearing and the testimony that you're giving today gives a wake-up call to parents and to communities about their prized possessions, their children.

MR. NICKOLS: That's why we're here, I believe, and that's in regards to your Senate bill. There is no legislation out there that addresses this issue of, for the contract security officers, other than their firearms and their batons.

MS. TANENBAUM: Mr. Nickols, if I may, I have a letter here that I'd like to share with the Senators. This is from the President of Tandem Security International who I invited to speak today but couldn't be here.

MR. NICKOLS: Right. They're one of our licensees in California.

MS. TANENBAUM: They're one of the licensees and I happen to know that at least one school district in Senator Hughes's district contracts with them and has security officers on her school as an intermediate school campus and he writes some very interesting things here. But I'd like to maybe just to respond to

one thing that it's the background checks again. It keeps getting back into my thinking.

He's talking about a school that contracts or contracts a security applicant. And he says, after the initial training but during -- I'll give you copy of this. I shouldn't just do that to you. I'm sorry. It's the last paragraph on the front page: After the initial training but during the background screening, applicants are permitted to work as unarmed security officers for a period of 120 days. This is a practice which I strongly discourage. A 120-day gap between knowing whether this person has had any offenses or not. Can you speak to that? Do you have any suggestions or remedies or is that a problem?

MR. NICKOLS: That's existing law. And as a regulator and as a parent, if you would, I certainly understand where this is coming from. We don't have the authority or the legislative support, if you would, to do immediate background checks. We send the fingerprints over to the Department of Justice; and as a security group, we are not the top priority of the Department of Justice and rightfully so. It takes anywhere from four to five to six weeks to process our fingerprints and that's just an existing...

MS. TANENBAUM: Do you think the schools should hold off before putting them on campus until they get the answers to the question?

MR. NICKOLS: Oh, absolutely. Again this is an issue between the security provider -- let's say -- Tandem is a good company. They would not provide the school district a guard until this person had been completely checked out.

SENATOR HUGHES: But you say that about Tandem because you know their reputation for having good security officers.

How many security companies are there in the state comparable to Tandem or just how many security companies are there, period, in the United States that function?

MR. NICKOLS: We have 1,925 private patrol operators, Senator. That's what they're called. Tandem is a private patrol operator and we have almost 2,000 of them.

SENATOR HUGHES: That's scary.

MR. NICKOLS: By and large they do a good job. Our security officers are again not as well trained as peace officers. They're certainly not well trained --

well paid -- as police officers. And by and large they do a good job and they serve our community well at a very nominal price. Our security officers come to the fore just like police officers. You hear about the exceptions and, of course, it's always heartbreaking when they come up. But I can tell you that I am looking forward to working with Mr. Snow, you, your committee, and Peace Officers Standards and Training to review this issue of security officers in our community.

SENATOR HUGHES: All right. Basically, in conclusion, tell me what do you think? Should we have, say, we lived in the ideal world, should we have background checks and training requirements for school security guards as compared to the guards that you have for stores or banks or hotels?

MR. NICKOLS: Well, I think that would be something that this committee and working with Mr. Snow are going to look into because it is an issue involving private patrol providers and I think it would be important to get their input into it. Again, as a regulator and as a parent, I think it's pretty obvious to everybody in this room that there is certainly an opportunity for more training for these men and women and an opportunity for more background investigations, especially when they get into our school districts.

SENATOR HUGHES: All right. Do you know how many private schools have school security officers, if any, and how many?

MR. NICKOLS: No, I do not. I don't have that figure.

SENATOR HUGHES: Can you find out that number since you license all of them, to begin with?

MR. NICKOLS: Yes, Senator.

SENATOR HUGHES: Would you have that information available for this committee?

MR. NICKOLS: We will get that information.

SENATOR HUGHES: I think that would be very important.

Thank you.

MR. NICKOLS: Thank you very much, Senator.

SENATOR HUGHES: I hadn't even thought of it until you brought it up. (Laughter) No. You stimulated my thinking.

MR. NICKOLS: Yes. We'll get the numbers for your committee. Thank you very much for this opportunity.

SENATOR HUGHES: Thank you, because people who send their children to private schools think it's fine because they've got great education, they have a lower class size, but do they have better security than we have in some of our public schools? It becomes a question too.

Thank you.

MR. NICKOLS: Thank you very much.

SENATOR HUGHES: Our next speaker is Ron Stephens who's the Executive Director of the National School Safety Center. He's going to give us a national perspective on school safety.

MR. RON STEPHENS: Thank you very much. You are to be commended for addressing the issue of what can be done to better train and prepare our school security officers. I would like to just offer two or three overriding comments that relate to a lot of what has already been said and accordingly abridge some of the remarks that I might have otherwise offered.

First, in terms of school crime issues, the nature of school crime incidents has changed so dramatically in the last several years that there is clearly a heightened need for a better trained officer. We've gone from technically the fist fights in schools to the gun fights. When we were in schools, we had fire drills. Now they're crisis drills. A lot of the changes in terms of training, even in terms of background checks, are not as much a matter of law as they are as a matter of policy, although for some school districts it may take law for them to act. And fortunately when we have some examples, in terms of the training that Los Angeles Unified School District has put together, that Compton Unified School District, by establishing some higher standards without waiting for the law to catch up with them, it's commendable when we have those kinds of situations.

We had done some checking simply around the country a couple of years back. We found there were more screening requirements to hire someone to brush down horses at the race track than there are for individuals who work with our children. There are more requirements for a tugboat operator or a tow truck driver than there are for school children. A number of states now are beginning to pass legislation which goes back and even takes a look at the criminal background checks of individuals who are already on the staff, not to mention those who are beginning to join the staffs.

For instance, in Indiana, there is a new law there where they will run a check twice a year just simply to see how many of their employees have been involved with any type of felony action. There's been a lot of surprises in places like Memphis, Tennessee, where they found they had 63 convicted felons working in the school; Seattle, 72; St. Louis had more than 80. Washington, D.C., just this last year, they did a screening check on, of their 1,800 new hires, how many of them had felony convictions; they found that 5 percent of the people that they had hired had felony convictions, all the way from drug dealing to assault with a firearm to robbery and sexual abuse.

When police had called me about a week ago, the very day that she had called, we had received a telephone call from Hawaii Department of Education. They had done an emergency hire for a school peace officer, and they have a provision whereby they can hire someone on a short-term, emergency basis. Well, that 120-day or 100-day period that was referred to hadn't been followed and they discovered that they had hired a former individual who had sexually assaulted a young lady. And wouldn't you know, he did the same thing again within his first 30 days of employment. The school system did just settle out of court two weeks ago on $175,000. They got off very, very cheap. The bottom line, is it's a question of where we will pay for this. We're either going to pay for it on the liability side or we're going to pay for it on investing the money up front, so I am impressed that you're looking at the prevention side.

One other side bar, we did put together at the National School Safety Center a guidebook of record screening and selection criteria for youth serving professionals as well as volunteers and this takes it even a step further. So I think the ground that you're treading on, it may begin with a school peace officer but there are certainly some applications for how we look at the overall safety and well-being of children altogether. We had brought together education professionals from around the United States and I believe, in fact, Wes Mitchell was involved with us in this in looking at strategies and techniques that should be considered in a record screening and selection. We've put together a whole series of forums from applicant disclosure affidavits to request for release of information. And we found, that as districts had begun to employ these circumstances, when you have simply the applicant disclosure affidavit which

asked whether or not they had been involved with a variety of criminal activities, many people will say, good night, it's not worth even applying in this district. I may as well go somewhere else. And so these guidelines are available. I've left one copy with your assistant here and we'll also make them available for the POST people. But once again, I just commend the work that you're doing and I think it's the right direction and you will certainly have the best wishes and support of the National School Safety Center in whatever capacity we can provide, if it's nothing more than just letting you know what some of your other state legislators are doing. And quite frankly, as we go around the county, people are watching California. They know that we are facing some of the most difficult and toughest situations anywhere, and they want to know what California's doing so it's an opportunity to not only do something for California but I think for the rest of the country.

SENATOR HUGHES: All right. What other states have come up with some new or innovative program? We have to be doing something, we hope, because of our tremendous size and it's sort of out of control. The Legislature doesn't know and that's the reason for this hearing. We don't know what's happening. I wonder if Hollywood Park is better protected than a little school district somewhere else in my Senate district. And, you know, what is happening in other states from your experience in going around the country? Could you cite any other states where they're doing something innovative or creative?

MR. STEPHENS: A couple of examples. First, I had mentioned that in Indiana they are doing some, not simply pre-service screening but what you might call in-service screening, making certain that those who have already come on board, are they behaving responsibly. Idaho, for instance, has a bill where an individual who has been employed within the last five years is required to actually pay for their own background check, if you can imagine this, a $40 fee. But it's just something legislatively they decide that they were going to put together. And it comes as a result of oftentimes people who will move from one jurisdiction to another and there won't be adequate background checking.

There's really a need to have some centralized national checking and we do have the NCIC, National Criminal Information Center, and yet many of our state laws do not require tying in with the National Center. But as people are so much

more mobile today, those are some of the kinds of things to look at and I'm sure that some good reason will ultimately prevail in whatever recommendations...

SENATOR HUGHES: I don't know whether Consumer Affairs would know this or whether POST can answer this question. If a teacher gets arrested, their license is flagged. If you know they have a teaching license.

Well, I worked for the commission that license teachers and most of the times their licenses are flagged, all right? That's if you know their teacher, all right. So if they're currently teaching, then you know they are a teacher.

MS. TANENBAUM: No, not necessarily.

SENATOR HUGHES: Not -- I'm sorry.

MR. STEPHENS: The arresting officer doesn't know that. He does not know what you do unless you tell him.

SENATOR HUGHES: But when you arrest somebody, don't you ask them where they're employed?

MR. STEPHENS: _____.

SENATOR HUGHES: Oh, ho, ho. That's pretty good. So maybe we ought to have something on this because I know some teachers' licenses that have been flagged because they've been arrested. Maybe some teachers are too smart and don't tell what they do for a living because they don't want their licenses flagged. Other professions' licenses are flagged. Should we have something in the legislation that flags a person's license, just like drivers' licenses are flagged if they're in some big accident or something like that? So what do you think? And I throw this out for whomever could answer it. Should we have some way of flagging licenses of school police?

MR. SNOW: Senator, in the case of peace officers, both the employing agency is notified of an arrest of a peace officer and we track that individual. And if they are subsequently convicted of a felony, we cancel their certificate and they're no longer employable in California. I do not know whether there is the same kind of reporting requirements for private security or security. You'll have to ask my counterpart.

MR. NICKOLS: Senator, for those men and women who are registered with us, there is a, what we call a rap back, that we get from the Department of Justice. So if they're arrested for any of a number of offenses and convicted, they

can lose their license. We revoke their license to be a security guard. But those are only the people that we regulate. So school security officers employed by a district, they wouldn't be regulated by us again unless they carried a firearm. So if their school security officer is regulated or employed by the district and they're not contract people, we have no control over them. There's no legislation right now that covers that.

SENATOR HUGHES: All right. I noticed in yesterday's paper there was something about LAPD and the numbers of members of LAPD who had been accused of domestic violence. I see you're shaking your heads. One of you who is brave enough, come up and tell me (laughter), come up and tell me how you feel about that in terms of your POST training people who are functioning now. Do you think that's significant information for you to gain access to, in terms of making certain that these people would be summoned by someone to ask about their activity if they had been arrested because of domestic violence? If they beat their wife, could they not beat the students who they're working with? And then you can stay up, Wes (laughter). No. Maybe some of your other colleagues want to answer too because you are the next speaker. But Mr. Mitchell, would you -- come on up, Compton, and help.

MR. MICHAEL NUNEZ: Michael Nunez, Compton Unified School District, Chief of Police. The question is whether or not a sworn officer should be allowed to continue his or her profession if they'd been convicted of domestic violence. Well, with a federal law, and as you indicated the situation with LAPD, we have to, as law enforcement officers, we have to take a look at what are we supposed to do as far as the public. How can an officer who has "been convicted of beating his wife" be allowed to carry a weapon, go out into the street, and serve and protect as they're supposed to?

Well, the federal government, the laws that passed, the problem that a lot of the agencies see with the law is its retroactivity. That's, I think, the biggest concern of a lot of the offices. My feeling and the feeling of a lot of my colleagues, anyone who comes on and has a record for domestic violence, should not be a police officer, period.

Now do you make laws that transcend what everyone else is supposed to be about by making it retroactive 10, 11, 12 years ago? You may have an officer who

had been convicted 12 years ago of domestic violence. In turn he may have divorced. He may now be married to another person, doing well at the job, have children from a second marriage. But because 12 years ago he was convicted of domestic violence, as states in the federal law, now he cannot be a police officer. Now not only has he taken the opportunity for that person to make a living, you have now taken it from the family also because he cannot be a police officer any more. He may be short of being able to retire, still can't get his retirement because now he's gone. These are some of the questions that I think are the biggest problems.

But should a person who's been convicted of spousal abuse be an officer? No, no way. And I think, that when they come before a background check and you find that out, no, they should not be hired. But the problem, again like I said, in this instance, is the retroactivity of the law. But like I said, I'm sure that a lot of people in this profession will say, no, they should not be police officers.

SENATOR HUGHES: This is a good question, getting you out of your seats and on your feet. (Laughter)

MR. STEVE CRAIG: Basically I was just tired of sitting so I thought I'd stand for a while.

SENATOR HUGHES: You did that when I came in. You were standing out there.

MR. CRAIG: Yes, that's true. I'm Steve Craig. I'm the President of PORAC, the Peace Officers Research Association of California. I am scheduled to testify a little bit later. This question, though, however, transcends and goes a little bit beyond so I thought I would stand here for you.

I just recently, Wednesday, came back from Washington, D.C., where we did a legislative walk-through. And most of the Congressmen and Senators that we did contact, this is one of the questions that we did ask. And everyone sees, as was just testified to earlier, there's an equity problem here. The equity is that about seven years ago, then-Assemblywoman and now Senator Dede Alpert took care of this situation within the State of California. We now have on our books 21021(c) which addresses the domestic violence conviction on a misdemeanor and allows the opportunity for relief but not an exemption on a one-term basis where the officer can go to the judge and it's supposed to be impossible, the

actual magistrate that heard the original complaint of domestic violence, who can then seek on a one-time basis relief from the ten-year ban of possessing a firearm.

We think that that is a bellwether in the United States. California has always been ahead of its time. We recognize the situation and we have taken care of it. Most of the people on the Hill this last week agreed that there will be changes in that law, that at minimum we have to take care of the retroactivity, and basically it's the equity here in California that mostly on the advice of counsel to make this embarrassing situation go away. They pled guilty and did not have their day in court because they knew that there was this opportunity for relief to not affect their career, their livelihood, and their families and now they're being punished for that. So I think you will see changes. I think that there will be some adjustments made into it. But again no one is going to stand before you or any congressman or any federal senator and say that we are advocating putting people who are convicted of domestic violence in a position of public safety. That's not what we're here for but we're here to talk about equity.

And just to also set the record straight, I believe you're saying that the word "he" is generic because spousal abuse can be from the wife to the husband and also that federal law is a little more encompassing because it also encompasses siblings and their elders and not just domestic violence, all of the kinds of assaults that can be in effect poured into that one mold. So it's going to be changed. I think you'll see that, but for now we're not defending that. But there is an equity question, I think, that will be addressed.

SENATOR HUGHES: Thank you. Now Wes Mitchell. You want to answer that question and then go onto your presentation. You're not going to get out of it.

MR. WES MITCHELL: I won't add much to it. I will clarify, though, that LAPD's problem may be unique to the Los Angeles Police Department, in that what they're looking at are officers who were not prosecuted but the department chose to not file on these officers but handle them through inter-departmental disciplinary processes and therefore there was no conviction and now they're reviewing whether or not it was inappropriate to file _____.

SENATOR HUGHES: So they're looking retrospect.

MR. MITCHELL: And they're looking back for several years, unfortunately, to officers who had been disciplined and gone on with their careers and I don't know what they've done since then that has allowed them to either continue with good employees or otherwise be separated for other reasons. They are now looking however to say did they make a mistake and discipline Wesley Mitchell when he should have been put before the district attorney. And if he had been put before the district attorney, there may have been a possibility of conviction and therefore I would be covered by this law.

SENATOR HUGHES: All right. What happens in your agency if someone is arrested for domestic violence? What happens next?

MR. MITCHELL: We're going to do an internal affairs investigation.

SENATOR HUGHES: So you could do the same thing that LAPD has done?

MR. MITCHELL: Oh, I don't think so. I don't think so. Practically and legally, no, I don't think it would happen. First off, the domestic violence complaint...

SENATOR HUGHES: You don't think it would happen...

MR. MITCHELL: Let me explain. Domestic violence complaint is going to be filed with the Los Angeles Police Department but not us.

SENATOR HUGHES: Right. Okay.

MR. MITCHELL: They will notify us if one of our officers is a subject of an investigation, and our officer will also notify us that he's a subject of investigation. They're going to handle the criminal side of it and we're going to handle the personnel investigation side of it. In this case these matters were for the most part filed within the City of Los Angeles and therefore they had both the criminal and the internal aspect of the investigation.

SENATOR HUGHES: Okay. All right. Now you can get onto your positive presentation. I hope you don't think I'm harassing you. I don't mean to.

MR. MITCHELL: Of course not, of course not. We go way back.

SENATOR WRIGHT: It appears that way to me. (Laughter)

MR. MITCHELL: For the record...

SENATOR HUGHES: She always says the opposite of whatever I say.

MR. MITCHELL: I am Wesley Mitchell, Chief of Police for Los Angeles Unified School District. I'm pleased to be here with you today for two reasons,

obviously. Senator Hughes, we have a tremendous _____ working together and also Senator Wright, who is the mother, if you will, of school policing because she carries legislation that allows school districts to have police departments. You're just simply seeing the maturity of this child that she birthed. And I do think it is a maturity issue with regard to the agency.

Let me clarify something. I have these long notes that I'm not going to go into because since you've done such a thorough job already. But let me clarify one area, I think, that is misleading in the discussion. That's the discussion about background investigations. Most of the discussion with regard to background to date -- this is with regard to criminal records check as opposed to a thorough and complete background investigation into the character of an individual. A criminal records check simply says that this person has been arrested and ultimately will tell us whether or not they in fact were convicted and if convicted what the sentencing was. It does not, however, go into other areas of the character to tell us whether or not they're truly suitable or fit to be with children.

With regard to the criminal records check, I'll digress just for a moment to say to you that we recently _____ school police departments, even though those in the POST program, we're informed by the Attorney General that we are no longer allowed to do criminal records checks for employee applicants. You know, we had asked for that permission, was certificated last year, and the Legislature didn't pass it. But we have had the ability to do that with classified staff which did include school police and school security personnel hired by the district. The Attorney General just recently came out and said he didn't think it was the intent of the Legislature to allow school districts to do this kind of internal checking for themselves but that we would have to go...

SENATOR WRIGHT: _____?

MR. MITCHELL: Well, I'm saying that to him now in a letter. But essentially what that does is it delays our ability to know what kind of history we're dealing with in a timely fashion. I would differ with, and perhaps Consumer Affairs has a better track record with DOJ than we do, but it normally takes us anywhere from five to six months to get a fingerprint check back.

SENATOR HUGHES: Five to six months?

MR. MITCHELL: That's correct. It is a very delayed process.

SENATOR WRIGHT: Excuse me just a moment. You should have had this hearing on Wednesday, and the reason for that is because the Department of Justice was up before Budget Committee. (Laughter)

MR. MITCHELL: It is an area of concern for us and I would just say to you, prior to us doing the criminal records checks for us classified employees, we were finding that we were drawing different cards, moving them for processing and sending the employee on to work and anywhere from five, six, seven months when the records came back, we were having to release these individuals because we had found that they'd been convicted of some of the most heinous kinds of offenses.

There is also the issue, and again we had legislation last year asking that we be allowed to do that for teachers. You're correct, that in order for a teacher to be credentialed, CTC does do a criminal records check. CTC does not track that credential or that individual any time after the initial licensing and they also don't do...

SENATOR HUGHES: I don't think that is accurate. I know that people's licenses have been tagged after they got their initial credential. It depends on the nature of the arrest by the license on the tag so that's...

MR. MITCHELL: That's based upon the arrest and conviction of a licensing compromising issue.

SENATOR HUGHES: Right.

MR. MITCHELL: And again, if in fact CTC's not notified that this incident has occurred, the teacher may track through the system. The other places we're concerned about is the officer number, particularly in Los Angeles, emergency credentials that we're dealing with.

SENATOR HUGHES: And you have a tremendous number of those.

MR. MITCHELL: Absolutely.

SENATOR HUGHES: Okay.

MR. MITCHELL: And again, we still have the issue of a delay in return of fingerprint checks on these individuals.

SENATOR HUGHES: As soon as you gave me another piece of legislation...

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MR. MITCHELL: Obviously my focus is primarily on the policing side of this discussion but I would be happy to discuss anything that you would want to ask me about the security side. We are very concerned in Los Angeles about standardization for employment as well as training in the school police arena. In spite of the fact that we are and do continue and will continue to be a POST-certified agency, we are affected by the perceptions of our peers and other agencies and particularly with regard to other non-POST-certified agencies that are used in the same courts that we're using and judgment is being made by the officers of the court about the profession and the professionals that come before them based upon training and background.

In Los Angeles, just to give you an idea of what kind of screening occurs and how many people follow that process, when we run an exam, we get probably somewhere between 600 to 1,000 requests for applications. I'd say 70 percent of those individuals actually show up for a written examination process. We will whittle that list down to about 200, 150 to 200 that will actually pass our written exam and it's a rather rigid written exam because we're looking for a very bright and intelligent, critical-thinking individual to come into the school system. From that group we do an interview. It's an interview just simply based upon personality, if you will, between the two individuals sitting at the table.

We also run them through the standards of physical agility and we _____ certify a list of anywhere from 35 to 50 people from the original 600 to 1,000. From there they go into background. We actually lose 50 percent of that list easily in the background on polygraph alone. We began to run polygraph when we began to realize that we received things after employment that showed up nowhere in the background process or the testing process in personalities and character. The overwhelming majority of individuals that fall out into the background, fall out in the polygraph, based upon substance abuse history. And it's interesting what does not wind up in conviction that is the part of an individual's history and these histories are not always removed in time. Now obviously we don't remove anybody simply because they fail a polygraph. We bring them back and we do what we call a verification interview and we discuss with them the discrepancies in the polygraph and it's the information they

provide us at that time that assures us that right now, at this point in their life, they are not of sufficient character. We don't want to put them with children.

We also run them through a psychological evaluation that is required of a POST-certified agency and we lose, I'd say, somewhere between 5 and 7 percent who fail the psychological evaluations. These are not processes that are the requirement of non-POST-certified agencies and I would suspect most non-POST-certified agencies in California don't do the polygraph examination and don't do the psychological evaluation. I have interviewed individuals who I thought looked like they would make good school police officers; but when they were sent to the psychologists, they came back and shared with us they had real serious concerns about this person's ability to work with children, to work in this environment, or their ability to handle firearms, and therefore we didn't hire them. After the psychological, I probably would have hired the individual.

From the perspective of Los Angeles Unified School District, if we had our will, and that applied to both labor and management, interestingly enough for this discussion, we would want all school police departments to be a part of the POST program. We would want all student police officers to have the thorough, the criminal backgrounds, and character backgrounds that we're asking of our people.

In the area of school security, you need to be clear that there are a variety of different kinds of groups that we look at as school security and one of the groups that is not being discussed right now are what we call campus aides and proctors. They don't wear uniforms, and by and large they are the leading providers of security in the whole system, including in Los Angeles. I've got roughly, slightly under 300 officers. The district probably employs 3,000 to 5,000 campus aides. They walk the hall, they walk the grounds, they stay in the gates. They engage students on a regular basis. They generally come from the community, they are generally non-trained, except where a district would choose to provide some limited training for them on working with children. They don't wear uniforms; they may in some cases wear windbreakers or some kind of T-shirt.

SENATOR HUGHES: Do you have occasions in which a principal or a vice-principal might contact the school police and ask you to provide some minimal

orientation or training for these people who come on campus when they're hired as a group and how often does that happen and could you give me an example of what happens in that case, and do you encourage administrators to utilize your services in that way?

MR. MITCHELL: First off, it doesn't happen regularly. Where we are on secondary campuses, we generally work pretty close with these individuals and so they get orientation from our offices. There is another group in Los Angeles Unified, the Youth Relations Office, run by Mr. Darren Simmons, and they do a lot of that in workshops at staff developments for the proctors. We as a department provide that service through the LA County office for the program that they run and I think we've done two iterations of proctor training to the office, the LA County office. It ran about 24 hours of proctors that were sent by school districts.

SENATOR HUGHES: All right. What about after-the-fact training, say, an incident like Figueroa Avenue School where the teacher was shot? Did the administration ask you to come in after the fact and sort of help, or in any school where there's an incident in and around the school, do you then outreach to the school to ask them how you can help, how you can help the parents or parental groups that ask you to reassure them or to train volunteers to help in the community?

MR. MITCHELL: Yes. We do some of that as well. Los Angeles is rather unique in terms of its approach, I believe the Safe Schools' planning, in that they have mandated every school go through the Department of Education's Safe Schools Planning process and that's a very in-depth analysis of the needs of the school and has school teams identify a need for a particular service or training that's asked for and given. In addition to that, Los Angeles asked each school to engage law enforcement, whether it be municipal or school police, as a part of their Safe Schools' planning committee. So we're sitting down on school campuses on a regular basis with teens and parents, teachers, and administrators talking about the ins and outs of life on that campus and what their strengths are and how to use their strengths, what their weaknesses are, and how to mitigate those weaknesses. That helped a lot with the proctors in

giving them a vision or an understanding of the dos and don'ts but, but it doesn't supplant or replace the need for some kind of formal training.

SENATOR HUGHES: Any further questions?

All right. Thank you.

At this point we'd like to take a short break and we'll come back at 12:30. I'm sure you need a rest break and a little snack break and what have you.

All right. What time?

MS. TANENBAUM: Twelve-thirty to 12:35.

SENATOR HUGHES: Twelve-thirty to 12:35. Thank you.

--- LUNCH BREAK ---

MR. DAVID LOW: ...checks, the same criminal records checks, that apply to certificated teachers in the public schools.

We've been asked to present some testimony regarding three issues:

1. Are current minimum standards for school peace officer training adequate?
2. If not, what changes are needed?
3. Should we have minimum standards for school security officers?

And it's our opinion that the minimum standards for school peace officer training are not adequate for either school or community colleges. Right now the current law authorizes a school or community college board to create a police department or security department or to not have any type of police or security at all. And Senator Hughes asked, I think, a very cogent question earlier was, if a district creates a police department, should they, and they don't have great security needs, should they be required to train their officers at the level that everybody else does?

We would assert that the governing board has two decisions to make. Number one is, should we or should we not create a school police department? And secondly, the next decision there _____ at what level should we give them the training? Now we feel, that once you create a school police department,

you've created both certain expectations and certain responsibilities. First, the public, the students, the employees, the parents, the other police departments in the area expect that your school police officers are fully equipped to carry out all the responsibilities under law and the school peace officer has all the same duties, powers, and authority, as any police officer in the State of California on or about the school campus. That means the same authority as the California Highway Patrolman, a city police, a state patrol, any peace officer. As long as they're on or about that campus, they have the same power and authority. That means school peace officers are responsible for dealing with all levels of crime, from minor infractions to traffic violations, to assault, battery, or even murder. And as stated by the representative from the Department of Education, murders do occur on school campuses. While it's our goal to maintain campuses as a safe haven, and in fact maybe the level of crime is not as high on school campuses or as often as in other public places, the other fact is that all levels of crime do occur on campuses and our peace officer report that they deal with everything from gang wars to domestic violence and everything in between.

Based on these realities it's our position that the minimum training standards must be increased. Senator Wright asked about the distinction between a certified peace officer, when people say they're a certified peace officer. And we would note that the certification is really, applies to the training standard whereas it's the Penal Code that defines what a peace officer power is and the Penal Code authorizes school peace officers to be having full peace officer authority whereas the certification standards are different for school peace officers.

Basically what's called for, for most peace officers, is basic, a minimum of basic, which is 664 hours of training. And in fact, as Hal Snow alluded to, most courses exceed this minimum and are over a thousand hours of training. School peace officers are required to receive only 72 hours of training. If they're required to carry a gun, then they have to receive an additional 24 hours of training for a total of 96 hours. Now the difference at a minimum level of 568 hours is so substantial that we feel that it is totally unjustifiable. The police officers who protect our children and students in the schools should be held not to a lower standard but in fact we assert a higher standard. As the Senator stated, these

are our most valuable assets, and we assert that the students deserve police protection from officers whose training is second to none.

What then should the minimum standards for school peace officers be? CSEA argues that school peace officers should be required at a minimum to complete the basic training course for school peace officers or for peace officers who have the same level as police powers. That would be at least 664 hours of training. In implementing this standard, we would encourage the Committee and the Legislature to consider a couple of factors:

1. Grandfather the current peace officers. We don't believe that it's fair for current officers to have the bar raised for them at mid-career.
2. Considering the funding issues that the school and community college districts must deal with.

It's our understanding that districts who become post-certified can receive reimbursement.

SENATOR WRIGHT: Yes. You said it isn't fair for someone that is a peace officer on school property. If you raise standards, they should be grandfathered in. What about being grandfathered in -- I can appreciate that -- but what about giving them the timeframe in which they can pick up that certification? They would need the extra training.

MR. LOW: We would support working out some sort of an agreement that would allow them to, during a time period, receive that training. In fact we sponsored legislation that created the current 832.2 course and that's what we did in that legislation. We provided a time period for the current officers to receive that training.

With regard to the funding issue, if a school district joins the POST training, basic training, they can be reimbursed for their costs, certain costs of training. But our understanding is, one of the costs that currently is not reimbursed is release time. And the release time cost becomes sometimes prohibited for districts and could put districts in a fiscal bind. One consequence of not providing the full reimbursement is that districts that would be required to provide the training but couldn't afford to provide the release time might tend to

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make their decisions on whether to have a school police department based not on safety issues or needs of the community or needs of the school district but on financial matters and we don't think it's proper for them to be making these important decisions based on, solely on fiscal matters. We think that the safety of the students should be primary.

With regard to the minimum standards for school security officers, we believe that this is an area that does deserve further study and believe, that since there are virtually no standards for security officers currently, that there should be some minimum standards for schools and community college relating to school security. We believe that the lack of standards can result in a lot of problems. First, because there is virtually no level of training for school security officers mandated under law, that school security officers can be hired with virtually no training and experience and this would subject districts to great liability problems if they don't provide something themselves.

Secondly, there may not be a clear delineation of powers between security officers and peace officers and security officers can be authorized to carry weapons, and we believe that it should be clear what their authority is and so that they do not move beyond their authority while they're working.

Now with regard to the security, I noticed that there was a discussion related to contracting security and this is an important point to us as well. Some districts provide in-house security and others contract out. With regard to classified employees, as I pointed out, they do have to go through the full criminal background check. And districts that hire security in-house will put them through that check. And as police noted, if they did have a child molestation case in another state, that would be tracked in this process, whereas a contracted security firm, if they didn't have to carry a weapon, would potentially not catch these types of incidents because they would only go through a DOJ check. We have a great deal of concern about districts that decide to contract out for security. We think that they should not be able to hire a contract-basis employee that did not go through the least minimum check that all classified employees go through. We think this is a very dangerous precedent, a loophole on the lot. It probably needs to be closed.

In closing I just want to thank the Senator and the Committee for holding this hearing. We believe that this is an issue that is long overdue. The students and parents and employees in the school deserve a safe environment, and the school police officers deserve to have the proper training to equip them to do the job well and we look forward to working with you on the passage of SB 366. We think it's a very good bill.

SENATOR HUGHES: Thank you.

Any questions? Senator Wright?

All right. Now we'll hear from Ron Bennett from ACSA who's the Deputy Superintendent of Fresno Unified School District. I understand you have to catch _____.

MR. RON BENNETT: Thank you very much.

Senator Hughes, the last time I appeared before you was several years ago when we were on the State Allocation Board. So if I start begging and groveling for money for school facilities, you'll excuse me.

SENATOR HUGHES: I have no money these days. (Laughter)

MR. BENNETT: As you introduced me, I'm Ron Bennett. I'm Deputy Superintendent for Fresno Unified but I've also been asked by the Association of California School Administrators, ACSA, to represent them today in supporting your bill, SB 366. We believe it is a very good bill. You've assembled a great panel of experts here today and they've made almost all of the comments that need to be made on the subject. I'll limit my comments to three -- first, a statement of support; second, what I'd like to do is talk a little bit about the basic foundations that school districts work with in school safety, and then finally I'd like to talk about some of the reasons that Fresno looks a little bit different on some of the charts.

MS. TANENBAUM: Can I just make a point --

MR. BENNETT: Sure.

MS. TANENBAUM: -- for both the senators. Fresno is the fourth largest school district in the state and they have no security on their school campuses and they have no police, and this is the man that decided to go in that direction so I thought it would be interesting for you to hear from a school as to why he decided that.

SENATOR WRIGHT: Well, the question on that would be, have you had any incidents that made you change your mind?

MR. BENNETT: Well, let me get into that because we've had the same kinds of incidents that other districts have had and I need to point out also by way of laying foundation, that before moving up to Fresno Unified as Deputy Superintendent, I was Deputy Superintendent of Long Beach Unified and so I do have a fair background in contrasting the two districts.

But let me just talk a little bit, if I could, about school safety in general on some of the constraints. It's been painted as a money issue; it's been painted as a safety issue. You've heard from a lot of very competent, very well organized professionals this morning about how they see those issues. I want to speak as the school district person about how we have to weigh those things. And what we do is we start on section 28 of Article 1 of the Constitution of the State of California. I'm going to give you a packet that has this in it, and that article declares that all students and staff of public, primary, elementary, junior high, and senior high schools have the inalienable right to attend campuses which are safe, secure, and peaceful. Now that's not out of the Education Code; that's out of the Constitution. So all of us in education start with that foundation and then we try to figure out within the constraints that we have how we're going to meet that, how we're going to meet that. That's a high standard. And so we all do it in different ways.

But when we look at school safety, the first thing we look at is all of our schools, all of our people, students and staff, are in municipalities and counties that have police departments and those police departments are funded to provide us with a certain level of safety in the community wherever our students in our buildings and staff are. And so everything that we do is supplemental. School districts in California do not get any additional money to provide school safety. So they do get reimbursement for the POST training, but the basic cost of maintaining security officers, contract security, police department, is something the school district has to bear out of its Prop. 98 funding. That burden falls very heavily on schools that are in urban areas where there is a need for greater safety. And schools can't simply say, because I'm not funded for it, I'm not going to do it. The Constitution supports the fact that they have to provide the safe

environment. So schools need to have the ability to create a police department, to create a security force, to use student safety assistance, as Chief Mitchell alluded to, and I'm going to talk about those in Fresno. That's what we use.

They have to have the flexibility to use whatever option they have to use to comply with the terms of the State Constitution, but it should be recognized in the Legislature that it does fall unevenly. It does place a burden on the urban districts who have to spend a lot more money for safety, not just for the training part of it. Now if you're going to have a police department, there's no question that we need to improve the training in both districts -- Fresno and Long Beach. We've looked at police departments. In both districts we elected not to have police departments for different reasons, but one of the constraints was the cost of maintaining all the things necessary to do it right. If you're going to do it right, it's going to be expensive.

Let me talk just a little bit about Fresno. In Fresno the reason that we don't have any security officers, the reason that we don't have police force, is because we happen to be in a city that has a superb police department, a city council and a school board that are committed to the safety of our students, a county sheriff who's committed to the safety of our students, the chief of probation who is committed to the safety of our students, and they have made school safety and education a priority. So what we have on our campuses, we don't have any district police. But on our high schools, the city, at no charge to the district, puts a police officer at every high school. The probation department, at no charge to the district, puts a probation officer at every high school. The Department of Social Services, at no cost to the district, puts a social services worker at every high school. We at our own expense put a Vice Principal there. We put about $30,000 into computer systems that allow all of these people to talk to the computers in their home agencies, so that when a family has a problem in Fresno, what we call our multi-disciplinary team, can deal with the whole family all at once, in one place, operating out of space at the school site, with computer systems that allow everybody to get the data from all their agencies so we don't have the situation that we used to have where we, the school district, would bring in a student who's not attending and we find out that there are some reasons at home why the student is not attending, and then we might have to bring in the

Department of Social Services or the child welfare people or we might have to bring in the police or probation and then sequentially over a period of weeks and months we would all deal with that family's problem. When we deal with it, we deal with that whole family situation, together, and all of us believe that providing services that we're obligated to provide anywhere, we're just doing it in a place and in a way that allows us to deliver it more efficiently so we do it out of the school site. We've created family resource centers to try and make our schools the center of the community. We have schools in every part of the community -- the rough parts, the nice parts, every part of the community -- and every part of the community has demand for those services and we try to render them there. We're in a lot of businesses that schools aren't really designed to be in.

Today my district will serve 60,000 meals; 90 percent of them will be free. And for most of those kids, that may be the best meal, it will be the best meal they get today; and some of them, it will be the only meal they get today. So we're in a lot of businesses that we'd like not to be in. We'd like to be in the education business but we're in business as services to families and we're trying to do it together. So it isn't that we don't have police on our campuses. It's that our community provides that support to families. We have 54 people that we call student safety assistants.

Now I'm going to give you a job description for that and I'm going to give you a description of the training that we provide for those people. We provide a 40-hour course internally to the district, focused primarily on interaction with students. These people work very closely under the supervision of certificated staff on school sites. We have some at our high schools, we have them in our middle schools; we have another group that we have at elementary schools.

SENATOR HUGHES: All right. How are they chosen and how are they screened?

MR. BENNETT: When we select them, they're classified employees. They're given the same screening that any other classified staff, the fingerprinting and so on that would be done for any classified staff on school sites. Anyone that's in contact with students, we want them to be district employees. We want to do the screening. We do make sure that we would pick up _____ CSEA representative. We would pick up felonies in other states. We would pick up

problems in California. But more importantly these folks are screened for not so much for their criminal background but for their ability to work with students. We don't want crime fighters. We don't want these people who want to be police officers. We have a few who want to be police officers but this is the wrong role for them. There's a very good use for police officers but we'd like them to go to a police department because these are not the kinds of jobs that we have created, so that tells you a little bit about why things work the way they do in Fresno.

We have had major incidents and Senator Wright asked about that. We've had shootings on and near our campuses. And the police department, as I've said, we happen to have a superb police department and they have given us support that we believe is as good or better than we could provide ourselves, given the number of officers they have. They have 581 officers, 29 more added yesterday to serve the community that's the same size as the school district we serve. I can't put 581 officers out there. I might have 12, you know, 12 officers going to leverage 581 very much. I don't know. In Long Beach, we had 13. I don't know if they leverage that very much. So we believe that we get good support but we have good interactivity. I was a founding director for the Fresno Police Activities League and chaired it for a while. They sit on district committees and helped us pass our bonds. So those are the kinds of things that cause us in Fresno not to need a police force. It's not that we don't have the same problems. It's just that we've chosen a different way and that solution certainly, certainly would not be one that could be prescribed for every district and every city. And so I want to leave you with a firm conviction that schools need more options, not fewer, that they need the ability to have police departments, if that's what fits that community. But if you're going to have a police department, the public has a right to expect it, to be a fully trained, fully competent police department.

SENATOR HUGHES: Questions?

MR. BENNETT: Questions? Okay. I have the job descriptions and training guides for you and a letter of support as well.

SENATOR HUGHES: Thank you.

MR. BENNETT: Thank you.

SENATOR HUGHES: Dennis Mobley, California School Boards Association, Rialto Unified School District, school board member.

MR. DENNIS MOBLEY: Senator Hughes, Senator Wright, thank you for inviting me, also members of the panel. I'm a school board member of ten years for Rialto Unified School District.

Let me tell you a little bit about my district. It's 25,000 students. In the last ten years, we've grown by about 10,000 students. We've added a number of elementary schools; we're building our second middle school; we've built a high school -- all within the last eight years. The community, we have a school security operation. We don't have school police. When I was first on the board, we have what we call campus supervisors and we felt the need to be a little more professional in the training levels and the security operation or security officers that we have, we have 29 permanent officers. We also have a number of temporary and I'm sure they're used on things like Friday night football and some of those other activities.

All of our officers, security officers, have undergone at least Level II POST training which I guess is...

MS. TANENBAUM: You want to tell us what that is?

MR. MOBLEY: I think that's more along the lines of reserved officer training. It's not the full police level training. And we have far more experts in the audience that could explain that better than I. The Level I training -- excuse me -- Level III is the initial program in the certification process. The basic certificate allows officers to work as reserve officers with either the sheriff's department or police departments. We have a Level II and we have half of our officers that have the highest rating in that regard.

MS. TANENBAUM: Dennis, I'm sorry. The jargon is sometimes difficult.

Hal, can you give us, what is this division? This is another division that we didn't know about, I don't think, from before.

MR. SNOW: Not very many. The districts use reserve training standards as their benchmark. But basically Level II reserve training is approximately 150 hours of training. Level IIs are right along reserves who work with a certificated officer; in the case of a reserve who works for a police department. In this case I presume that the security officers are working alone and are very -- in comparison to other school security officers around the state, they are far and

away more better training than their counterparts so they have 150 hours, which is about 150 hours more than the others. (Laughter)

MR. MOBLEY: Again, as I stated earlier, we did go from what we call the campus supervisor -- and I don't know the level of training that we had but it was certainly less than what we do now.

I was also introduced as representing the California School Boards Association. I'm a member of the delegate assembly. And from that point of view and also from my school district _____, would like to still -- and it was mentioned earlier in the introductory remarks by the Senator to still have a level of local control. I enjoyed Mr. Bennett's comments about Fresno. I think we too have a good partnership and relationship with our local police agency. Actually our two high schools that we have are each located in different jurisdictions. One is located in the City of Rialto -- that's our oldest high school. The other one is located in the City of San Bernardino. Ironically we call that Rialto High School but that's another story. (Laughter) But we have worked on a good relationship, I believe, with the local police and I think that has been healthy for the district. We do have, as I stated earlier, a standard for training which I think it meets our needs and serves the community well. We are concerned about school safety. Also, as Mr. Bennett said, not all of the training should be directed at what I would say is the law enforcement side of it. I think the student interaction, understanding the school environment, is extremely important.

Another thing that I would mention is that our schools are, and I would say that this is common throughout the state, tend to be safer than the communities that they're located in. We haven't really talked about this issue before and that's the safe passage to and from schools and some of the challenges that students have as they go through some of the neighborhoods that may not be the best in the community to go to school.

Going back to our particular...

SENATOR HUGHES: Let's go back to that. Just how do you provide safe passage on a safe -- for instance, my children are new to the community. They're just perhaps very fearful and they are junior high school age. They're fearful because of the newness, the unfamiliarity of the neighborhood. So how do you

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provide safe passage when a lot of times kids challenge other kids who are newcomers? So how do you do that?

MR. MOBLEY: I don't have a very good answer for that because it's very much what the students, as they make their way to school, we do have some busing in our district. We tend to reserve that for the longer distances to and from schools. Of course, the transportation issue is a challenge for all school districts because it is underfunded as the current formula is constituted.

Many parents will drive their children to school. With some of our security officers, they have mobile patrols and certainly we're more sensitive to those areas of the community. And again the police department works well with us in that regard in helping us to provide a safe a passage as we can. But as you would agree, I'm sure, there are no guarantees in life and things do happen that are tragic and are unfortunate. Not all of those situations are directly involving students. We've had situations near the high schools where outsiders have driven by, not our students, and create situations with our students that I would prefer not to have to deal with as a board member.

SENATOR HUGHES: Do you have any incidences of newcomers to the community having problems with getting their children safely to school?

MR. MOBLEY: We've actually seen a decline over the last couple of years in the numbers of suspensions and expulsions and these very often, I'm assuming these are the kinds of things that you might refer to in terms of having trouble getting to and from the school. Of course, those relate to very serious offenses. We've not done any specific study as to the impact of students who are new to the district versus students that have started in kindergarten and now are maybe in the high school grades.

Our particular community does have somewhat of a mobility rate, a higher mobility rate. We are a growing community. We've added anywhere from 700 to 1,000 students a year for the last 10 or 12 years so we have a lot of new students coming in.

SENATOR HUGHES: Do you have any gangs in your area?

MR. MOBLEY: I think every area has gangs.

SENATOR HUGHES: That's exactly what I was talking about, you know. the fact that people say, well, you're not part of our community; you're a new kid in the school and we don't want you.

So how do the parents really go about protecting the students with safe passage without actually providing private transportation for them? I'm a working mother. I can't -- my husband and I have to both go to work. We can't see our junior high, our high school -- students are taken to school themselves. What kind of support do you get for these parents and their students?

MR. MOBLEY: Well, one level of support, as you've used middle schools and high schools as examples, are some of the extracurricular activities where we do provide a safe environment on the campus for a longer period of time than the school day that would end at, say, 2:30 or 3:00 but that doesn't meet all students' needs.

SENATOR HUGHES: All right. The extended school day program, how does that operate? Even after school is over, say, if you kept them to 12:30 or 5:00 o'clock, they still have to get home.

MR. MOBLEY: Right.

SENATOR HUGHES: Their parents aren't going to treat them like kindergartners or first grade and they're not going to pick them up. How do you know they're going to get home without being attacked, you know, specifically if your school is -- and I see some of the school police sort of smiling in the background because, you know, I've really been worried about this when someone moves to a new community. How do you protect your children?

MR. MOBLEY: That is an excellent question and I really don't have a complete answer that I can give you. Certainly that's a concern that we have as a district. Again we do work with the city. We have an anti-gang, anti-drug task force. I've been on that for many years. We have a School Accountability Review Board or student -- we call it SARB. We also have another youth board, a Youth Accountability Board, is what I was trying to think of, where we're working with some of the students that, giving them alternatives to some of the risk-type behaviors, excuse me, early interventions. We're working in that area but we don't have a full-proof system.

MS. TANENBAUM: Dennis, just getting back to the school safety personnel for a minute.

MR. MOBLEY: Yes.

MS. TANENBAUM: As a school board member, can you give us any insight as to how a school board member decides whether to have no school safety personnel on campus and just work with the existing city, you know, urban, or whether to have a security personnel or whether to have police? Can you give us some insight into, have you had conversations like that on your school board, public conversations, or even private? How do you make that decision? Does it come down to really money or is it -- are there other things? How does that work?

MR. MOBLEY: I think it's an evolving issue. When I first came on the board about ten years ago, we had campus supervisors which is at a lower level than we have now and we did make the move to a security officer with more training.

MS. TANENBAUM: Why? Did you have incidences?

MR. MOBLEY: No specific incidences that drove that. I think it was an interest in providing a better trained staff to work.

MS. TANENBAUM: So the parents didn't complain or anything like that?

MR. MOBLEY: No.

MS. TANENBAUM: It was nothing, no event, that caused you to move up the ladder?

MR. MOBLEY: There was no specific event. I think many of, some of the background may have been some of the closer relationships that we've tried to cultivate with our city council. We've done some things on disaster preparedness and this may have been part of the impetus as we dialogue with them and how can we work with them better and how can they work with us better. We have most of our campus officers or security officers at the high schools. Each has about eight; the middle schools have about two or three each and then we have one each for the adult and continuation high school, and then we have some that are assigned to mobile and night patrol.

We are currently applying for a grant in cooperation with the city or community resource officer, one for each high school. I support that. I think

that's a good partnership, again, with the city. Our security officers are not armed. They do have, I think, the pepper spray.

MS. TANENBAUM: Do they have a baton and pepper spray?

MR. MOBLEY: I think it's just the pepper spray. And I, my personal feelings and, you know, the other members of my board have other feelings one way or the other. But I would prefer not to have our employees armed with firearms. I think that's better handled through a law enforcement agency.

In Fresno, the situation there where they have 500-plus officers, and even if they were to create their own school police would have -- I think the reference there was a dozen. I don't know how we can do any more than that, and a police department, from my point of view, is better equipped to deal with the more serious kinds of things and I think it has worked well in our community and that maybe underscores the point that I would re-emphasize about having local control, and also, that the area of school safety involves more than just the law enforcement training component. I think there are other things involving more than just the security officers. I think all our school employees should have training and working with students, especially at the high school level.

And as kind of a side note to some of the other school security issues, our schools are large. I think that contributes to some of the safety concerns that we have. Our particular district, we have all of our elementary schools on year-round schedules. Our two high schools have 3,000 students each and they were designed for fewer students than that, our middle schools likewise. And those are big dollar issues that are hard to deal with. And if you look at putting large amounts of money into non-education areas, that would be a concern. And again with the local control, each community is different and I think what works for my community may not be the best solution for another community and I would certainly argue _____ to have those kinds of options.

I appreciate the opportunity to address _____.

SENATOR HUGHES: Thank you very much.

All right. Next witnesses now will be on law enforcement, Steve Craig, President of the Peace Officers Research Association, PORAC.

MR. STEVE CRAIG: Good afternoon again. My name is Steve Craig, President of the Peace Officers Research Association of California.

I'm going to do something different from what I have ever done before in public. (Laughter)

SENATOR HUGHES: No indecent exposure, please. (Laughter)

MR. CRAIG: Only of my soul, only of my soul.

I don't use that word very often, "I", but in this particular instance I feel it necessary to tell you about me. I've been in law enforcement with my current agency for 27 years, 26 of that actively involved in PORAC representing law enforcement at a lot of different levels throughout the state. Those of you who have seen me before noticed, that when I wear a suit and tie, there are two things that are always on this suit jacket. The first is a pen for the peace officers' memorial for the State of California that has the book of names of all the officers that have lost their lives in the service of their citizens. Most also don't know, and this is where we get into the personal thing, that there is a feather above that that says California. These are the two things that I am very proud of. What is above that is an honorary service award from California State PTA.

Now the reason I'm going to go into a little detail is because somebody says PORAC President, here comes the union guy. Yeah, here comes the union guy. We want more training; we want more professionalism; we want more money; and all of that costs money. And, yes, I am here to say that. I'm not going to back off of that but also could tell you a little bit about myself. I come to you also with two other hats on.

One is, that in my history personally I have been the President of two site PTA units, been involved actively in the administration of two PTA councils, held district offices at the Ninth District PTA, chaired two site councils at school sites, and committees for budgets and professionalism for a school district itself, also ran unsuccessfully for a school site district seat which was good because now I'm here instead of there and I think my problems are less than some of the schools face now. That's my second hat. I have experience in this area. And prior to my becoming a badge-carrying law enforcement officer, I also was what was called a ground supervisor in 1969 which is basically the forerunner of several of the things that I've heard today which I've had to keep munchkins on campus and the reprobates off campus so I have a lot of experience in that area.

The third hat that I wear is as a father. I have three children now all in high school who I have seen go through the various stages of education, so I think that you can see that my expertise is not just law enforcement but security on campuses and education itself. Now what happens when we go into a legislative session? Well, there are a lot of people looking for slices of the budget but I think most people will agree that the two largest groups who claim ownership on the lion's share of that money are education and law enforcement. And normally we are pitted one against the other, but I think in this particular case the concept of what we're talking about that you, Senator Hughes, have put forth in 366 is a marriage between those two needs. We can work together on this because we, being education and law enforcement, both benefit from this.

I have 44,000 professional law enforcement officers that I am speaking for, a loud voice; we carry a big stick. Six hundred and thirty of those members are school police officers. Twelve agencies, seven of which are POST/post?? reimbursed, five which are not. Those that are not comprise only 52 in number.

Now we had been asked unsuccessfully for the last five years that I know of to get legislation like you have put in passed. And I'm here to tell you that we are totally behind your efforts on this bill and we'll stand side-by-side with you, not behind you, not in front of you, but right next to you, to get this thing passed. I don't wish to say that what you've heard today is creative solutions to some of the problems today on school sites on some of the campuses are not good. And I think you yourself can see the common thread that has run through all of the testimony before me, so I'm not going to reiterate all of the things that they have said. The important thing to remember is: Where there are not school police, there is something else.

Now we're talking about training; we're talking about professionalism; we're talking about getting the job done the best way we can. Again, from my past, and I hope none of that crops up in any of the things that come later in my career, but in my past I did a job as a non-uniform, no-weapons, don't-touch-the-kids-but-get-your-job-done-anyway kind of atmosphere. Fortunately that was only three months and someone saw the value of giving me something that I could really get my teeth into and make a career out of.

For the people who have training that the Level II -- and I'm really glad that that was brought up because here you've had someone who is trying to become a Level II qualified law enforcement officer. But there again, here the common thread is it's almost a cop. It still doesn't rise to that level of training where a reserve can go out and actually perform the law enforcement function by themselves. Level IIs work in pairs. Level IIs have that kind of information that will allow them to do only certain jobs but not my themselves. And Level III, you know, it isn't even out on the street by themselves. A lot of times these are people who have a specialty, some kind of expertise in firearms or criminology or some other type of education or background that can assist in that department but not with going out and enforcing the laws.

Right now my kids are on a campus where there is someone in a yellow jacket and, of course, they call him a narc because his job is to, like I did, almost 30 years ago keep the munchkins in, the reprobates out. But he's identified not as a law enforcement officer, not as a security guard but as someone who is there for security on the campus.

PORAC takes this stance: If you wear a badge and you wear a gun and you wear a uniform and you drive a marked car and people see you in that capacity, they have an expectation that you are a peace officer, as you can do the job no matter what it takes. They stop the car; they say, officer, let me see your name. Craig, I have this problem. Please take care of it. Can they? No.

If a district, if a school, whatever the governing body, school board, decides that they don't need law enforcement on their campuses, that's an answer that they have to deal with within their community, sell that to their community, and then stand by if there are any problems. They stand tall for that and I give them a lot of credit for making decisions based on a lot of different factors. But if you're going to have the semblance of law enforcement on your campus, you need law enforcement on your campus, not someone who almost has enough training, someone who almost has enough experience, someone who almost has the ability to be a law enforcement officer. That doesn't make it in today's society.

Officers that I represent are from some departments that are larger than most 830.1, Chapter 4, Law Enforcement Officers. They handle the same cases in the same way with the same results, professional from start to finish. We need

that. Citizens who look at a uniform are misled. I think, if it's not a crime it's unethical or immoral to give them the impression that they should be able to feel safe and secure sending their kids to that campus. And I'll just leave you with this one thought, that again, PORAC as an entity is involved in professionalizing what we do for a living, our careers, and that's making sure that again, as in the Senator's word, our most precious treasure, and I also use in a lot of the things that I say, our future is protected.

And if you have any questions, I'll answer them.

SENATOR WRIGHT: First of all, I'm going to make a little correction.

MR. CRAIG: Yes.

SENATOR WRIGHT: You don't, as far as the state budget is concerned, you don't compete with education because since Prop. 98 was passed, the schools have mandate as to the funding, if you are competing as part and parcel to your own area of expertise we use in the judicial system and higher education. And another little thing in the area we don't think about too much, which I always like to mention, and that's bonded indebtedness. It all comes out of that same little group of money, which is about 15 percent of the budget.

The question I wanted to ask, as I was sitting here listening at all this, and I've been thinking this is probably the last question I'll ask because I can't think for the rest of the day, but is it possible, because one of the things that will be under consideration, no matter how we try not to have it, it's going be the dollars. There's no question about it, that the level of protection is going to be, the safety is going to be -- there's going to be something about a dollar advantage to it.

Is it possible, because what I'm hearing is _____ police officer. But a school-based police officer has to have one other element and that's an understanding of the young people that he sees; he's dealing with day in and day out. Is it possible that a police force within one school agency could possibly live in the same county contract with some of the other schools? It would eliminate some of the overhead but still would give them that qualified officer on campus.

MR. CRAIG: Anything is possible and I think that the concept for that was already alluded to earlier, in earlier testimony. Again, if it looks like a cop, it should be one. It doesn't matter where it comes from, who pays the salary. What you want is the best qualified person to get that job done, and I think that it's

penny-wise or dollarwise and penny foolish, or however you want to say it, to settle for something less than what you really need, something that doesn't quite make the mark but gives the appearance of it. I think it's a sham. So contracting? Of course, but make sure it's professional, who is qualified to do that job.

SENATOR HUGHES: You spoke to the right person because she's on the Budget Committee (laughter).

MR. CRAIG: Gee, I didn't know that.

SENATOR HUGHES: I do.

Thank you very much.

Any further questions for Mr. Craig?

Closing remarks?

MR. CRAIG: No. I just again was very thrilled to get the invitation to come here and speak before you because this is near and dear to our hearts as an organization and to several of our members.

SENATOR HUGHES: All right. Last but by no means least, Theodore Romas, the Chief of the Irvine Valley College Police.

We have a large number of, a large number of people attending community colleges.

MR. TED ROMAS: Thank you very much for the invitation to participate in this testimony. My name is Ted Romas and I'm here primarily representing the California College and University Police Chiefs Association.

I might open my remarks by saying thank you, Senators Hughes and Wright for sponsoring this important legislation. Part of my job has already been done by all the testimony that's already been heard today and I would like to reflect back to say that perhaps in this case my job here, as being last, it's perfect timing because I'd like to kind of close the loop on putting together what I refer to as K-14, which includes the community colleges of California of which there are 106. And just to throw out some numbers, I might tell you that there are 72 community college districts in the State of California, 106 colleges that service 1.4 million students which represents the largest secondary educational system in the world. Those students deserve safety and security of services, just as all of those students in K-12 do.

SENATOR HUGHES: Are there any community college campuses that do not have school police?

MR. ROMAS: Yes, there are many.

SENATOR HUGHES: And how many out of...

MR. ROMAS: Well, as Hal Snow alluded to in his slide and that's in your handout, there are 22 community college districts that are POST certified. Now that includes some multi-campus districts. There are approximately 40 community college campuses that have full-fledged professional POST police services. Once again, just as in the K-12 system and again in the handout that Mr. Snow's provided on the page that talks about the recipe, the potpourri, if you will, or the variety of departments that there can be in any given school district, K-12 district, the same variety exists within the California community colleges. There's everything from fully certified, POST-certified departments, to some districts that choose to have no security department at all. I've been to some of those campuses and I can tell you up and down the state that part of the reasons for that are fiscal; part of them are geographic; part of them are the fact that there has been no precipitating event that has caught the attention of a particular board of trustees or the executive, the chief executive officer, of that college or district to perhaps move up the ladder, as has been mentioned before.

One of the terms that you used earlier on, Senator Hughes, was truth in labeling. And I think, as I represent the chiefs and safety and security managers of police and security services at all the California community colleges, and I specified community colleges because, even though our association is college and university, I'm sure you're aware that the California universities and the California state universities, those 9 and 22 campuses already are fully POST-certified departments. And so therefore I'd like to use the phrase "K-14" to include everything from kindergarten up to and including the 14th grade at the community college level.

Of all of those departments that are represented, there certainly is that variety out there. And one of the things that our association -- and we just had a conference a couple of weeks ago in Tahoe and I serve as a President of that association, or I did -- I am now in the much-sought-after position of immediate past President and frankly enjoying it at the moment. We serve two-year terms so

it was a long stretch but we made a lot of progress. And one of the things that we were able to do was to integrate the colleges and universities, including the private colleges and universities in California, into the eligibility for membership in our association. We used to be exclusively known as the California Community College Police Chiefs Association.

At our conference we spend about two hours talking about SB 366. I was fortunate enough to be invited by POST to attend some previous meetings on this particular bill and I also served on the 1989/1990 commission that instituted 832 and 832.2, and our general membership came to consensus on all of these issues. And basically I'll say it over again as in the final analysis, the issue is, that in truth and labeling, if you're going to establish a community college or a school district police department, that you should be afforded all of the training and opportunity that will give you the status and authority to do the job, that expectation of service that you're expected to perform and have the capability to do that, whether that involved juveniles or adults. Traditionally community colleges are thought of as schools where mostly adults attend and that is true, but I would like to say in my other hat that I wear here today as the Chief of Police at Irvine Valley College part of the newly named South Orange County Community College District, formerly the Saddleback Community College District, which includes Saddleback College and Irvine Valley College, is that more and more we are finding that there are other categories of folks in our college than adults. In fact many, many high school students who are not yet at the age of majority are registering for community college classes and in fact then are physically present on our campuses and we need to deal with those folks in a different kind of way than we would perhaps if were approaching an adult who is perhaps a suspect in a situation or whatever.

Also I might tell you that one of my greatest concerns for providing professional security of police services of community colleges is almost all of them, or at least a growing number of them, have child development centers on their campuses. And I'm here to tell you, that in my particular college, Irvine Valley College, the only place on our campus that we have panic buttons or duress buttons are under the desk, push-button-type of alarms, is at our child development center because of the number of restraining orders there placed

against non-custodial parents so these are significant items. Community colleges tend to serve the vast majority of the population from toddlers in the child development centers all the way up to and including the oldest registered student.

My third hat that I wear here today is as a community college student, and I would like to say that I certainly have an expectation of service. If I see a person approaching a suspect and that individual is uniformed and has a badge that has the word "police" word on it and a patch that has "police" and is driving a car that says "police", my expectation is that person is fully trained as a police officer. I'm here to tell you today that that situation does not exist at all community college districts in the state nor at all school districts. And in fact there are several districts that have chosen to establish police departments but had not gone that final step, which is being proposed in this legislation. I also recently sent a letter of support and endorsement from our association, which I hope you received.

SENATOR HUGHES: Thank you.

At this point, Senator Wright has to be wrong and leave us. (Laughter) But she has to be right based on her own district needs, and I do appreciate her being with us all of this time because as she deliberates on budget issues, she keeps this in her mind, we hope.

SENATOR WRIGHT: Because remember, when it comes right down to it, I'm only one of six votes.

SENATOR HUGHES: All right. Well, you're the only one I need, _____ on the others.

All right. Now we have public comments, three individuals who indicated that they'd like to have something to say. Larry Duncan from Huntington Beach is here with us, Huntington Beach Unified School District Police.

MR. LARRY DUNCAN: Good afternoon, Senator Hughes. I'm here representing the Huntington Beach Police Officers Association. I'm employed as the school police officer in Huntington Beach Union High School District. I started my law enforcement career in 1972, and for the last 14 years, I've been involved in school law enforcement.

In the last ten years, I've been in charge of training for our department. Up until 1990, it was just kind of hit or miss we've got to come in as employees. In

1990 we went to POST backgrounds and psychological tests. In the last year-and-a-half, we've finally gone to a written test and physical agility test for our officers. Prior to that we've had some kind of nightmare situations. We've hired people who weren't qualified that should be called peace officers. And as a result of those people, we have ended up with lawsuits with major crimes that had been dropped out of court because of illegal search and seizures, a violation of civil rights.

Law enforcement of schools is a very unique situation. We deal with three different agencies -- Huntington Beach, Fountain Valley, and Westminster. And on a constant basis, they are calling us on things involving juveniles in schools because they don't have the expertise to deal with it. We have three very fine city police departments; but like most other agencies, they don't have the money to be able to put officers out like they would like to so they rely on us quite a bit. With this unique type of situation we're in, we need people who are trained properly who know students, know how to deal with students, and eliminate a lot of the problems we have. I know we've got support from all three of our local agencies, their associations on this, and we need the increase of the amount of training. Most of my department now are not qualified or would qualify as a POST officer because they haven't got the training. We have three officers who have.

We do follow POST guidelines as far as psychological evaluations, everything except the basic academy. But when we hire people, we try to get people in for, you know, people who've had the training. And since we've gone to the physical agility and the written test, the quality of applicants we've received has gone up and we just hope that this legislation passes so we can continue to be a professional law enforcement agency to go with POST and make things a lot better for schools in general.

MS. TANENBAUM: Question, Mr. Duncan.

I'd be very interested in having some more detail, not right now, but perhaps in writing. You said -- I think I understood that you said but at one point you had hired some police officers that didn't have the POST certification. You did have some incidences and you did have some liability _____. I'd really like to know more about that. Either we can talk or if you could write to me

about it because that's very important, I think, for the members to understand _____.

MR. DUNCAN: Well, that's one of the problems. If you're not trained, you don't know what knowledge you're dealing with, what the elements of the crimes are, and you've got people violating people's rights in search-and-seizure situations and these are things that we deal with constantly in school law enforcement without the proper training.

MS. TANENBAUM: I'd like to know more specifics about that. Thank you.

MR. DUNCAN: Thank you.

SENATOR HUGHES: All right. Our next witness is Raymond Bouldon, LAUSDPOA.

MR. RAYMOND BOULDON: Good afternoon, Madam Chairman, and I guess Cathie's gone so you're it.

My association started this. We were the first school police department in K-12. They ran the bill with Cathie and several other school districts and it was passed. Since then, I know the last five years that I've been involved, we've asked the POST commission, along with PORAC, to increase the standards. We know that maybe six years ago, in 1991 or 1990, that Chief Nunez and I believe Ted and a bunch of the others had appeared before POST and they left POST with the understanding that school police officers, K-14, would have the minimum standards of the basic POST credential. However, the bill that was passed was the 96-hour bill.

But I'm going to ask you as a Senator who represents thousands of students is to make sure that the bill and what you get back from POST meets for school police officers in the State of California, will meet the basic training requirements of a POST certificate. That's the 664 hours. As far as the current police officers working as police officers now to give them leeway or grandfather them in, or give them a significant period of time to meet those standards. And as far as the security officers, security officers should be also given standards. You can't have people on our campuses who aren't trained. They don't allow it in teachers; they don't allow it in principals. No one else in our districts aren't trained so I believe this is the way to go and I can only tell you a little bit about what happens in LA Unified.

LA Unified School District's police officers respond to 20,000 service calls per year. We also write about 15,000 reports every year. We investigate those reports from beginning to end, except for rapes and murders. We allow the great LAPD to handle the majority of those and, of course, the Sheriffs Department. Being a school police officer is more than just enforcing the law. You have to be able to interact with the student, the parents, and the staff. And this is _____ comes to training. Training, when you train a school police officer, he doesn't need to know about going to a bar and searching the bar but he does need to know how to get a long with his fellow worker, many of the teachers and administrators.

So when you put this training together, and this is for Hal, make sure that you can, the training is appropriate for school police officers, our school security, because the same training is needed for police officers, the same number of hours, just the same, but the curriculum needs to be just a little bit different. So I'm not -- I will leave you -- if there's any questions you will have of me, I'll answer them.

SENATOR HUGHES: I assume implicit in that last remark was the various cultures that you're dealing with in the community, the community culture of the neighborhood which might be different from one neighborhood to another and the orientation of the various neighborhoods in and around specific school areas because I'm sure that even differs within LA Unified.

MR. BOULDON: Well, one of the things you'll see on the commission's statement for LA Unified School District is our diverse community. And with our diverse community, you have to be of service to everybody in that diverse community.

With that, thank you.

SENATOR HUGHES: Thank you.

All right. Last, Chuck Stanzione. Did I pronounce that right?

MR. CHUCK STANZIONE: Yes.

SENATOR HUGHES: All right. All right. Bassett USD.

MR. STANZIONE: It's a pleasure to be here and be able to talk to you.

Kind of to dovetail what Ray was talking about, for a long time I felt -- personally I've been in law enforcement since 1980 and been a school police

officer for the last ten years. I have felt for many, many years there's been a big lapse there as far as, as everybody has already said, as far as people not being properly trained.

Now another thing I've done for the last six years, I've been part of the recruit training officers' staff for basic academy, and one thing I'd like the commission to look at is -- being familiar with the basic program, it really doesn't, I believe, meet many of the requirements that we have as school police officers. And whether it became, a basic certificate was necessary or Level I, I don't think, is really going to do the job for a school peace officer in the State of California. Though, on the other hand, the 832.2 class really doesn't meet the requirements neither.

If, like, for instance, in our school district, we just had non-violent crisis intervention training, along, side by side, with the certificated staff. That's going to allow us to interface if there's any students having any kind of emotional or difficulties. That's something that I know personally and it's not addressed by the basic course, so I would just hope that the Committee would look at that.

SENATOR HUGHES: Thank you.

MR. STANZIONE: Thank you.

SENATOR HUGHES: Thank you very much.

I'd like to publicly thank the Chief Librarian and the Librarian's staff for the use of the facility here and I'd like to thank our local law enforcement people for being with us, and also I want to thank my district office staff and my Chief of Staff, Dr. Thelma Eaton, and the other people in our office who helped to arrange this and provided an opportunity for us to get together. This is a fantastic facility and I think of the many hours that it's closed off and this has been hours that it's been open, I think, for a very worthwhile purpose.

I'm very proud of this community; I'm proud to represent the new State Legislature and I'm proud of all of you for what you do all the time to try to enhance the opportunity for people to function in an educational institution and feel some modicum of comfort in knowing that you're present. And I hope that in the future we can show you in a very concrete way how much we appreciate that because, the more education our people get, the better off they are with learning

how to stay out of jail and to stay in the community and become productive citizens.

Thank you so much for being with me today because I don't feel as alone as I do sometimes in Sacramento. (Applause) And particular thanks to Felice Tanenbaum, my staff person, who probably hadn't slept all week.

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